



Bismarck Planning and Zoning Commission

MEETING
February 25, 2026

Tom Baker Meeting Room	City-County Office Building	5:00 PM
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The City of Bismarck is encouraging citizens to provide their comments for public hearing items on the Planning & Zoning Commission agenda via email to planning@bismarcknd.gov. The comments will be sent to the Planning and Zoning Commissioners prior to the meeting and included in the minutes of the meeting. To ensure that comments are compiled and forwarded to the Planning and Zoning Commissioners with enough time to review all comments, please submit your comments no later than 8am the day of the meeting. Comments received after 8am the day of the meeting will not be included for consideration by the Planning and Zoning Commission. Comments should also include which agenda item number your comment references and your name (anonymous comments will not be forwarded to the Planning & Zoning Commissioners or included in the minutes of the meeting). If you would like to appear via video or audio link for a 3-5-minute comment on a public hearing item, please provide your e-mail address and contact information to planning@bismarcknd.gov at least one business day before the meeting.

As always, live meeting coverage is available on Government Access Channels 2 & 602HD, Radio Access 102.5 FM, FreeTV.org, RadioAccess.org, ROKU, Apple TV and Fire TV.

1. APPROVAL OF MEETING MINUTES

- A. Approval of the January 28, 2026 meeting minutes will take place at the March 25 meeting of the Planning and Zoning Commission.
- B. Guide to Public Participation
- C. Map of all items on the agenda

2. PUBLIC COMMENT

Limited to items on this meeting's Consent agenda, or the previous Planning and Zoning Commission meeting.

3. CONSENT AGENDA

A. Cottage Grove Addition (IJ)

Zoning Map Amendment | ZC2026-001 | Consideration
Staff recommends: Call for Public Hearing

Major Subdivision Preliminary Plat | PPLT2026-001 | Consideration
Staff recommends: Call for Public Hearing

B. JMAC Industrial Second Addition (LO)

Zoning Map Amendment | ZC2026-002 | Consideration
Staff recommends: Call for Public Hearing

Major Subdivision Preliminary Plat | PPLT2026-002 | Consideration
Staff recommends: Call for Public Hearing

C. Sleepy Willow Addition (JW)

Zoning Map Amendment | ZC2025-023 | Consideration
Staff recommends: Call for Public Hearing

Major Subdivision Preliminary Plat | PPLT2025-013 | Consideration
Staff recommends: Call for Public Hearing

D. FP - Floodplain District (JW)

Zoning Ordinance Text Amendment | ZOTA2026-001 | Consideration
Staff recommends: Call for Public Hearing

4. REGULAR AGENDA

A. JFP Foxhaven Subdivision (IJ)

Major Street Plan Amendment | MSPA2025-001 | Public Hearing
Staff recommends: Approve

Zoning Map Amendment | ZC2025-021 | Public Hearing
Staff recommends: Approve

Major Subdivision Final Plat | FPLT2026-001 | Public Hearing
Staff recommends: Approve

B. Daybreak Third Addition (JW)

Minor Subdivision Final Plat | MPLT2026-001 | Public Hearing
Staff recommends: Approve

C. Prairie Hills Seventh Addition (IJ)

Minor Subdivision Final Plat | MPLT2026-002 | Public Hearing
Staff recommends: Approve

D. Hay Creek TWP Part of Sections 19 and 20 (LO)

Annexation | ANNX2026-001 | Final Consideration
Staff recommends: Approve

5. **OTHER BUSINESS**

- A. Update on Land Development Code
- B. Recognition of Planning and Zoning Commissioner David Blackstead

6. **ADJOURN**

- A. The next meeting of the Planning & Zoning Commission is scheduled for March 25, 2026.
- B. Building Permit Data: [Month to Date](#) or [Year to Date](#)

BISMARCK PLANNING AND ZONING COMMISSION

GUIDE TO PUBLIC PARTICIPATION

The Planning and Zoning Commission welcomes and values public input during its meetings. The following procedures for public comment are to ensure that all individuals have a fair opportunity to be heard while maintaining an orderly, transparent, and efficient meeting environment. There are two opportunities available:

Public Hearings

All public hearing items are shown on the regular agenda, which is when comments on these items should be given.

1. **Introduction.** The Chair of the Planning and Zoning Commission introduces the item on the agenda and asks staff to present a report.
2. **Staff Report:** A planner presents the staff report. The presentation will be an overview of the written staff report included in the agenda packet with a visual presentation of materials.
3. **Commission Questions.** Commissioners may ask staff questions, but they will not discuss the request or share an opinion prior to obtaining input from the public.
4. **Open Public Hearing.** The Chair will then open the public hearing on the request and ask if anyone would like to speak to the commission.
5. **Applicant Statement.** The applicant is traditionally given the courtesy to present their proposal or any additional information first.
6. **Public Statements.** The hearing is then opened to the public to voice their support, opposition, or give any comments regarding the item. This is the opportunity to approach the podium.
7. **Close Hearing.** The Chair closes the hearing for the item once all interested people have spoken, and no more public comments are allowed.
8. **Commission Discussion.** Commissioners discuss the proposal. They may ask staff or the applicant questions or for clarification of items stated during the public hearing.
9. **Commission Action.** The Planning and Zoning Commission makes its decision on that item.

Other Public Comments

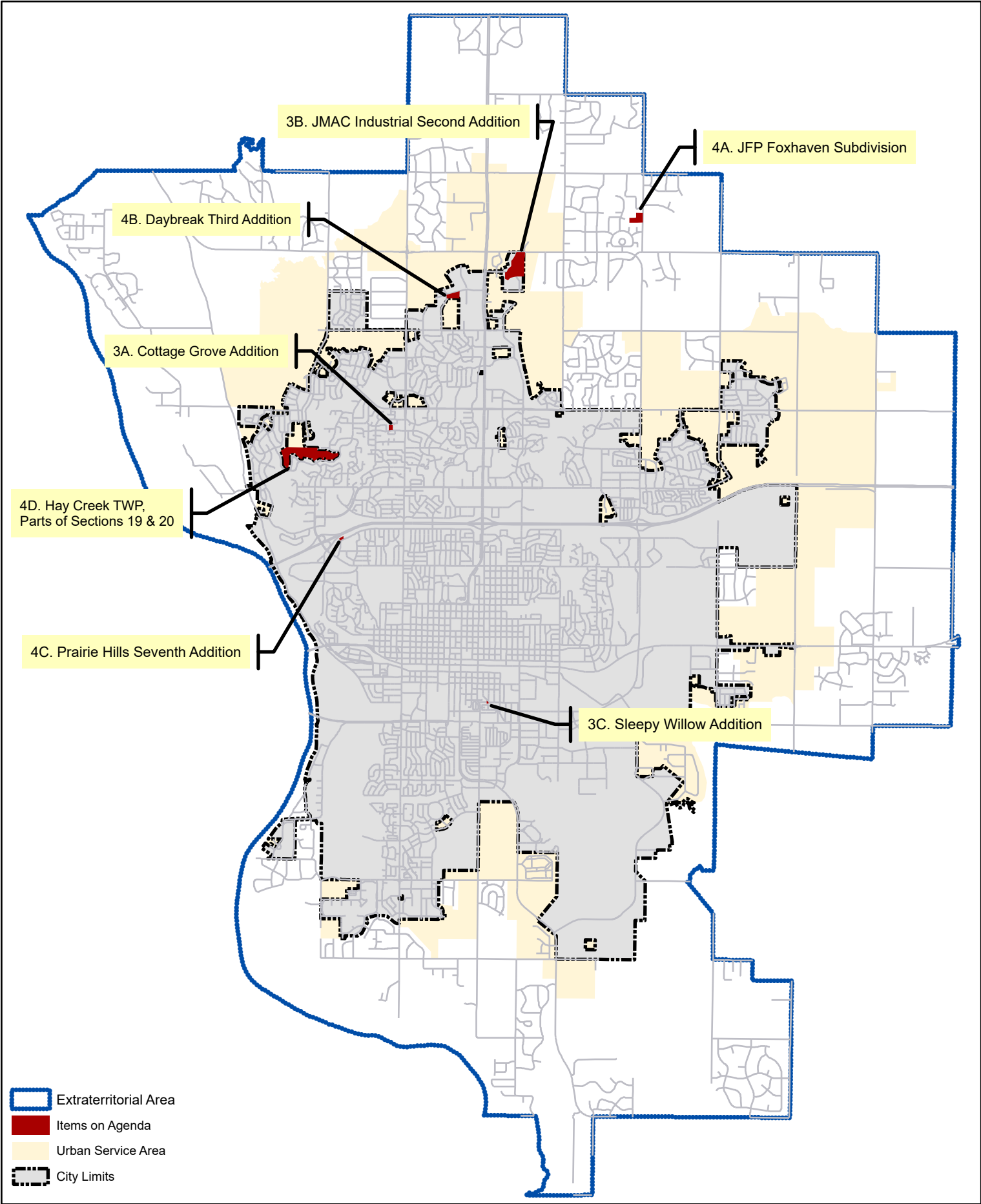
Any comments addressing an item on the current agenda, other than a public hearing, or an agenda item from the preceding meeting.

1. **Public Comment.** General public comments are received toward the beginning of the meeting.
2. **Time Limits.** Each person may comment for five minutes, unless extended by the Chair. An individual may not yield their time to another. The total comment period is limited to 30 minutes, unless extended by the Chair.

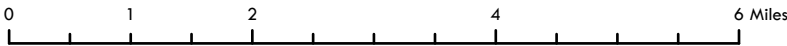
General Instructions

The following guidance applies to both public hearings and other public comments:

- Write your first and last name and address on the sign-in sheet at the podium.
- Adjust the microphone, if necessary, state your name, then provide comments. Traditionally, comments are addressed to the Chair and Planning and Zoning Commission.
- Comments may not be defamatory, abusive, harassing, or unlawful; include information that is exempt or confidential under North Dakota open records law; or interfere with the orderly conduct of the meeting.
- Commenters may only address the Commission, not staff, applicants, or other meeting attendees. Commissioners may question any person. The Chair may ask speakers to limit their time, not repeat previous testimony, and speak only once.
- Written materials may be distributed to the Commissioners or displayed visually on screens. Staff are available to assist.
- Reasonable accommodations will be made upon request, pursuant to the City's Title VI policy.



This map is for reference purpose only and is not intended as a survey or accurate representation of all map features.



STAFF REPORT

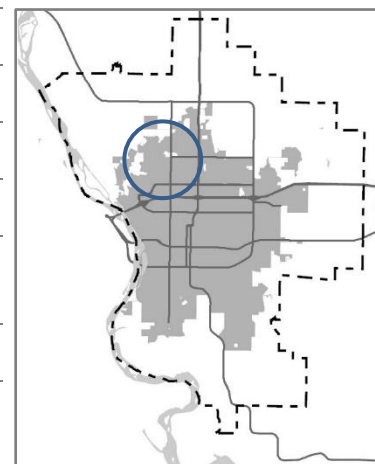
Agenda Item # 3A
February 25, 2026

Application for: **Preliminary Plat**
Zoning Map Amendment

Project ID: **PPLT2026-001**
ZC2026-001

Project Summary

<i>Title:</i>	Cottage Grove Addition
<i>Status:</i>	Planning and Zoning Commission – Consideration
<i>Property Owner(s):</i>	Cottage Grove Properties LLC
<i>Project Contact:</i>	Andra Marquardt, RLS, Toman Engineering
<i>Project Location:</i>	In northwest Bismarck, west of North Washington Street along the north side of Buckskin Avenue
<i>Project Size:</i>	2.36 acres
<i>Applicant Request:</i>	Replat and rezone the area to facilitate rowhouse-style development in two-, three-, and four-unit configurations
<i>Staff Recommendation:</i>	Tentatively approve / call for public hearing



Site Information

<i>Existing Conditions</i>		<i>Proposed Conditions</i>	
<i>Lots/Blocks:</i>	1 parcel in 1 block	<i>Lots/Blocks:</i>	13 lots in 2 blocks
<i>Land Use:</i>	Single-family residential	<i>Land Use:</i>	Attached single-family residential
<i>Future Land Use:</i>	Urban Neighborhood (UN)	<i>Future Land Use:</i>	No change
<i>Zoning:</i>	R5 – Residential	<i>Zoning:</i>	PUD – Planned Unit Development
<i>Uses Allowed:</i>	R5 – Single-family residential	<i>Uses Allowed:</i>	PUD – Uses specified in PUD
<i>Max Density:</i>	R5 – 5 units / acre	<i>Max Density:</i>	PUD – Density specified in PUD

Area Information

Property History

<i>Zoning Jurisdiction:</i>	Bismarck City Limits	<i>Zoned:</i>	02/2016
<i>Township:</i>	N/A (City of Bismarck)	<i>Platted:</i>	08/1966
<i>Neighborhood:</i>	Equine Estates	<i>Annexed:</i>	10/2014

(continued)

Project Narrative

Paige Danner, with the consent of the current property owner, Cottage Grove Properties LLC, is requesting approval of a zoning map amendment from the R5 – Residential zoning district to a Planned Unit Development (PUD) and of a proposed major subdivision preliminary plat titled Cottage Grove Addition. The project area would be a replat of Lot A of Lot 3, Block 2, KMK Estates.

The applicant is proposing to subdivide the one property into 13 lots in 2 blocks in order to facilitate the development of rowhouse-style development. The development plan, facilitated by a zoning map amendment to a PUD would consist of three twin-homes, one triplex, and one fourplex for a total of thirteen housing units.

While this is a replat of an existing area, the plat includes new public right-of-way for Caspian

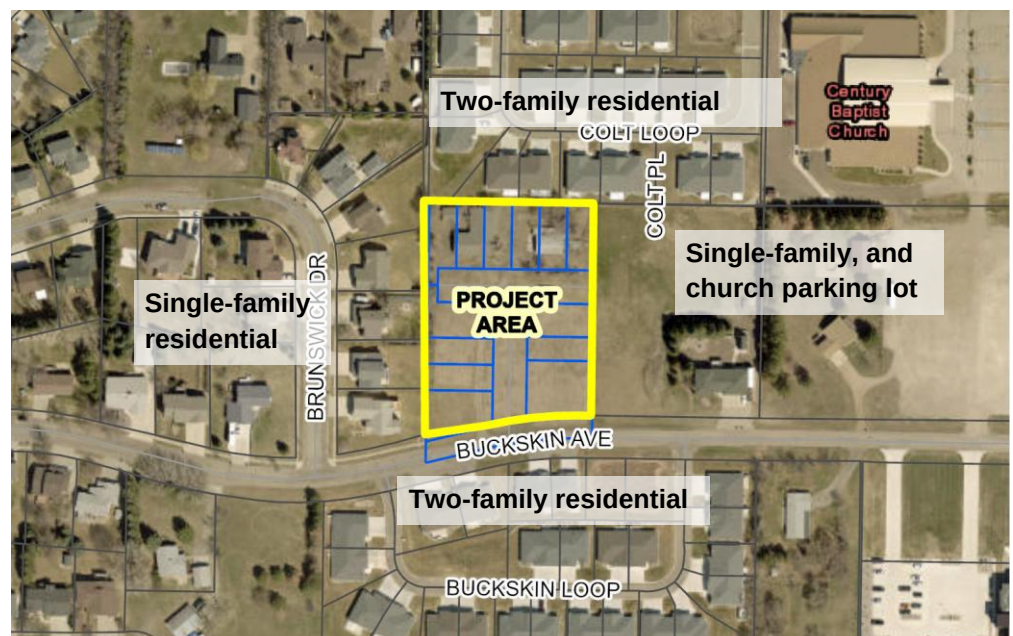
Court. The right-of-way extends north from Buckskin Avenue before turning east to the edge of the plat, providing the option for extending further east and possibly looping back to Buckskin Avenue should the properties to the east redevelop in the future.

The currently proposed configuration of the right-of-way would possibly be more challenging for the provision of some municipal services (such as garbage collection or snow removal) compared to a cul-de-sac in the short term. However, the configuration of the right-of-way as shown would provide the potential for a loop road to connect back to Buckskin Avenue further to the east should the property redevelop in the future. When this happens, the potential challenges for providing some municipal services would be alleviated.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:

A Zoning and Plan Reference Map is attached to this staff report, including current zoning, the Future Land Use Plan, Major Street Plan, and Active Mobility Plan.



The property has been identified as Urban Neighborhood (UN) in the Future Land Use Plan. The UN areas are places for quiet enjoyment of home life. Goals and objectives of this plan as

they relate to major subdivision preliminary plats and zoning map amendments are referenced in review standards below.

(continued)

The project is located in a primarily residential area, with single-family and two-family residential uses on all sides. Further to the east, and northeast, is a church and its associated parking lots.

Public Engagement

Public engagement will commence if the Planning and Zoning Commission calls for a public hearing on this request.

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Open Development Projects Dashboard and Community Development Activities map.

All written comments received by staff prior to the public hearing will be distributed to the Planning and Zoning Commission and summarized by staff during the oral presentation.

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

Zoning Map Amendment

The Future Land Use Plan is adhered to with the proposed zoning map amendment ([Future Land Use Plan](#))

Yes. The proposed zoning map amendment is within the area designated as Urban Neighborhood in the Future Land Use Plan, as described in the Project Context section above. The proposed zoning district would generally conform to the character of this district.

The proposed amendment is compatible with adjacent land uses and zoning ([Goal S10-a](#), [S5-a](#))

Yes. Adjacent uses are described in the project context section above. The proposed zoning district would allow attached single-family dwellings in groups of two, three and four.. Development that may be anticipated from the proposed zoning would have no negative impact on the surrounding properties.

A change in conditions or by an error in the zoning map has occurred since the previous zoning classification was established ([Goal S9-e](#))

Yes. The current zoning district of R5 - Residential was established in February 2016. Conditions have changed since this time. This area has gradually been redeveloping over the last 20 years from a more rural development style to a more urban development style. This includes work within the public rights-of-way to install sidewalks and repave roads to meet city standards; this also involves larger lot properties, originally rural residential, redeveloping into primarily single- and two-family dwellings.

The City's Comprehensive Plan, Together 2045, was also adopted in 2022 which supports the gradual redevelopment of existing areas into a progressively more urban fashion.

Undue restriction of housing options or access to neighborhood amenities would not result from the proposed zoning map amendment ([Goal S1-a](#), [Goal T1-c](#))

Yes. The proposed zoning map amendment would enhance the diversity of housing types available to Bismarck residents and would support a mix of uses to create vibrant neighborhoods where necessities and amenities of daily life are easily accessible to all residents.

The goals and objectives of Together 2045 Bismarck's Comprehensive Plan would be advanced by the proposed zoning ordinance map amendment ([Comprehensive Plan](#))

(continued)

Yes. The following objectives of the plan would be advanced through the proposed amendment.

- S1: Encourage the formation and growth of complete neighborhoods.
- S4(a): Increase efficiency of urban land use to maximize public investment in infrastructure and services thereby reducing cost for tax and ratepayers.
- S6(c): Enhance housing choice by removing regulatory barriers against attached housing configurations that have demonstrated success in other markets yet are less common locally.
- S9: Provide the means for adaptation of the built environment to meet complex and changing economic and social demands.
- S10: Support the arrangement of compatible land uses to minimize adjacent conflicts.
- G1: Encourage infill and redevelopment of land already connected to municipal services.
- T3: Ensure that the variety and quality of housing is aligned with the needs of the community.

The general intent and purpose of the zoning ordinance would be adhered to with the proposed zoning map amendment (Section 14-02-01; [NDCC 40-27-03](#))

Yes. The proposed zoning map amendment would support the purpose of the zoning ordinance, as stated in the City Code of Ordinances and North Dakota Century Code.

Proper administrative procedures related to the request are being followed (Section 14-07-02, [NDCC Chapter 40-47](#))

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. The applicant has submitted a complete application for a zoning

map amendment, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission.

Together 2045 Bismarck's Comprehensive Plan is adhered to with the proposed Planned Unit Development (Section 14-04-18(3)a)

Yes. The following objectives of the plan would be advanced through the proposed planned unit development.

- S1: Encourage the formation and growth of complete neighborhoods.
- S4(a): Increase efficiency of urban land use to maximize public investment in infrastructure and services thereby reducing cost for tax and ratepayers.
- S6(c): Enhance housing choice by removing regulatory barriers against attached housing configurations that have demonstrated success in other markets yet are less common locally.
- S9: Provide the means for adaptation of the built environment to meet complex and changing economic and social demands.
- S10: Support the arrangement of compatible land uses to minimize adjacent conflicts.
- G1: Encourage infill and redevelopment of land already connected to municipal services.
- T3: Ensure that the variety and quality of housing is aligned with the needs of the community.

Adequate buffer areas have been provided between any noncompatible land uses (Section 14-04-18(3)b)

Yes. There are no uses adjacent to this proposed planned unit development that are incompatible and require a buffer.

(continued)

Natural features of the site would be preserved, inasmuch as possible, including the preservation of trees and natural drainage ways (Section 14-04-18(3)c)

Yes. The property does not have significant topographical or other natural features. The proposed planned unit development incorporates these existing natural features into the design of the development to the greatest extent feasible.

The internal roadway circulation system within the planned unit development has been adequately designed for the type of traffic that would be generated (Section 14-04-18(3)d)

Yes. The proposed subdivision would have a public roadway connecting to Buckskin Avenue, with the possibility of extending the proposed roadway to the east so that it could loop around. The proposed uses would all be low-to-medium density residential uses. This circulation system is adequate for expected traffic.

The character and nature of the proposed planned unit development contains a planned and coordinated land use or mix of land uses that are compatible and harmonious with the area in which it is located (Section 14-04-18(3)e)

Yes. The proposed uses would all be residential, ranging from two to four units of attached single-family homes. These uses, as designed and laid out in the proposed planned unit development, would be compatible and harmonious with the surrounding area – which is primarily single and two-family homes.

The public health, safety and general welfare will not be adversely impacted by the proposed zoning map amendment (Goal S10-a)

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed zoning map amendment would not adversely impact the public health, safety, and general welfare.

Major Subdivision Preliminary Plat

The Major Street Plan is adhered to with the proposed subdivision ([Major Street Plan](#))

Yes. There are no corridors identified in the Major Street Plan within or adjacent to the proposed subdivision. A plan reference map is attached to this staff report.

The Active Mobility Plan is adhered to with the proposed subdivision ([Active Mobility Plan](#))

Yes. There are no corridors identified in the Active Mobility Plan within or adjacent to the proposed subdivision. A plan reference map is attached to this staff report.

A neighborhood park will be available within walking distance for all urban residents ([Goal I1-a](#), Section 14-09-04(2)a(vii))

Yes. Adequate parks and open space already exist to serve anticipated residents of this subdivision. The requirements of the neighborhood parks and open space policy have been waived by the Bismarck Parks and Recreation District. The property is within 0.5 miles to New Generations Park (to the west) and Normandy Park (to the east). A waiver letter from the Bismarck Parks and Recreation District is attached to this report.

Vehicle trips generated by the proposed subdivision will be adequately supported by the transportation system ([Goal C3-c](#))

Yes. The proposed subdivision would likely not have a substantial effect on circulation and safety of public roadways in the vicinity, and therefore no traffic impact study is required.

Street connectivity is provided for efficient travel and secondary access for emergency services ([Goal C4](#), Section 14-09-05)

Yes. Subdivision design requirements, such as maximum block length, intended to promote street

(continued)

connectivity has been met, and there are no cul-de-sacs or dead-end streets in the proposed subdivision. The City's Secondary Roadway Access Policy has been met allowing alternative routes into and out of the subdivision.

Roadway access is managed to reduce potential points of conflict and improve safety ([Goal C3-b](#))

Yes. Direct access to major public roadways is appropriately limited and spacing of all intersections is adequate to meet the City's access management standards and professional engineering judgement. Non-access lines will be dedicated with the proposed plat to communicate and enforce this access control.

Stormwater runoff impacted by this subdivision is adequately managed to protect public and private investments and the natural environment ([Goal 15](#), Section 14.1-04-03);

Yes. There is a plan to manage any stormwater runoff generated by this subdivision. A scoping sheet for a post-construction stormwater management permit (PCSMP) has been approved by the City Engineer, and the PCSMP will be approved prior to submittal of a final plat. A temporary stormwater and detention pond easement is located on the southern 43 feet of lot 3, Block 2.

Dimensional standards of the zoning ordinance are met with the proposed subdivision (Title 14)

Yes. All lots meet area and width requirements of the zoning district within which they are located, and there is sufficient space within each lot for anticipated buildings to meet density, setback, and lot coverage requirements. All rights-of-way and dedicated easements conform to design standards of the subdivision ordinance.

Natural hazards and impact to environmentally sensitive land is minimized through the location and design of the proposed subdivision ([Goal 16-a](#))

Yes. The proposed subdivision is not located within the Special Flood Hazard Area (SFHA), also known as the 100-year floodplain, an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or an area that is topographically unsuited for development

Water supply systems will seamlessly transition from a rural to an urban system through cooperation with the South-Central Regional Water District ([Goal G3-f](#), Section 14-09-04(2)d)

Yes. The proposed subdivision will be served with municipal water upon development and no future transition will be necessary.

The City's investment in infrastructure associated with the proposed subdivision is expected to receive a proportional long-term return to residents through future revenues or other public goods associated with this subdivision ([Goal G3-a](#))

Yes. The proposed subdivision involves infill and redevelopment of an area already served by municipal infrastructure. The additional up-front and ongoing costs to the City are expected to be minimal, relative to the benefits provided by the subdivision.

Technical specifications required of the preliminary plat have been met (Section 14-09-07)

Yes. The proposed preliminary plat contains the required information to ensure an accurate and timely review by staff, the Planning and Zoning Commission, and the general public.

Proper administrative procedures related to the request are being followed (Section 14-09-04)

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. Staff held a meeting with the applicant to discuss the request prior to submittal of a formal application. A complete application for the preliminary plat was submitted to the Planning Department, and the

(continued)

required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission.

The public health, safety and general welfare will not be adversely impacted by the proposed subdivision (Goal S10-a)

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed subdivision would not adversely impact the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends tentative approval / calling for a public hearing on the zoning map amendment from the R5 –

Residential zoning district to a Planned Unit Development (PUD) for the proposed major subdivision preliminary plat for Cottage Grove Addition.

Attachments

1. Draft PUD Zoning Ordinance
2. Zoning and Plan Reference Map
3. Proposed Zoning Map
4. Preliminary Plat
5. Original Plat with Replatted Area Highlighted
6. Neighborhood Park Agreement waiver letter

Staff report prepared by: Isak Johnson, AICP, Planner

701-355-1850 | ijohnson@bismarcknd.gov

CITY OF BISMARCK

ORDINANCE NO. XXXX

First Reading

Second Reading

Final Passage and Adoption

Publication Date

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-03-02 OF THE CITY OF BISMARCK CODE OF ORDINANCES (1986 Rev.), AS AMENDED, RELATING TO THE BOUNDARIES OF ZONING DISTRICTS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA:

Section 1. Amendment. Section 14-03-02 of the Code of Ordinances of the City of Bismarck, North Dakota is hereby amended to read as follows:

The following described property shall be excluded from the R5 – Residential zoning district and included in the PUD – Planned Unit Development zoning district

Lots 1-10, Block 1, and Lots 1-3, Block 2, Cottage Grove Addition

This PUD is subject to the following standards:

1. *Conformance to Submitted Documents*. The development must generally conform to the submitted site plan approved in conjunction with the PUD.
2. *Uses Permitted*. The uses within the district shall be limited to the following:
 - a. *Principal Uses*. The following principal uses shall be allowed:
 - i. Attached single-family dwellings in configurations of two, three, or four units.
 - b. *Accessory Uses*. The following uses shall be allowed as accessory to the principal uses on the property.

- i. All accessory uses customarily permitted for attached single-family dwellings, as defined in Title 14 of the City Code of Ordinances.
- 3. *Special Uses*. The following uses shall be allowed with a special use permit
 - a. Child care center
 - b. Religious institution
 - c. Accessory dwelling unit
 - d. All other special uses that are permitted in all zoning districts as defined by Title 14 of the City Code of Ordinances.
- 4. *Dimensional Standards*. The following dimensional standards shall apply to all structures within this district:
 - a. *Lot Dimensions*. The minimum lot size shall be 4,000 square feet.
 - b. *Lot Width*. The minimum lot width shall be 38 feet.
 - c. *Front Yards*. The minimum front yard setback shall be:
 - i. 20 feet for main streets; and,
 - ii. 15 feet for side streets on corner lots.
 - d. *Side Yards*. The minimum side yard setback shall be:
 - i. 0 feet for sides adjoining another attached single-family dwelling; otherwise,
 - ii. 6 feet
 - e. *Rear Yards*. The minimum rear yard setback shall be 20 feet.
 - f. *Height*. The maximum height shall be:
 - i. 40 feet for residential principal structures
 - ii. 50 feet for other principal structures
 - iii. 25 feet for accessory structures
- 5. *Development Standards*. The following development standards shall apply to all development within the district.

- a. *Off-Street Parking and Loading.* All off-street parking and loading must conform to the submitted site plan and be in full compliance with Section 14-03-10 of the City Code of Ordinances (Off-Street Parking and Loading).
 - b. *Landscaping and Screening.* No specific amount of landscaping and screening will be required.
6. *Signs.* Signage may be installed in accordance with the provisions of Chapter 14-03.1 (Signs) following standards for Residential zoning districts.
7. *Modifications.* This PUD shall only be amended in accordance with Section 14-04-18(4) of the City Code of Ordinances (Planned Unit Developments). Major modifications require a public hearing and approval by the Bismarck Planning & Zoning Commission.

Section 2. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Taking Effect. This ordinance shall take effect upon final passage, adoption and publication.

Zoning Districts

A	Agriculture
RR	Rural
R5	Residential
RMH	Manufactured Home Residential
R10	Residential
RM	Residential Multifamily
RT	Residential (Offices)
HM	Health and Medical
CA	Commercial
CG	Commercial
MA	Industrial
MB	Industrial
PUD	Planned Unit Development
DC	Downtown Core
DF	Downtown Fringe

Future Land Use Plan

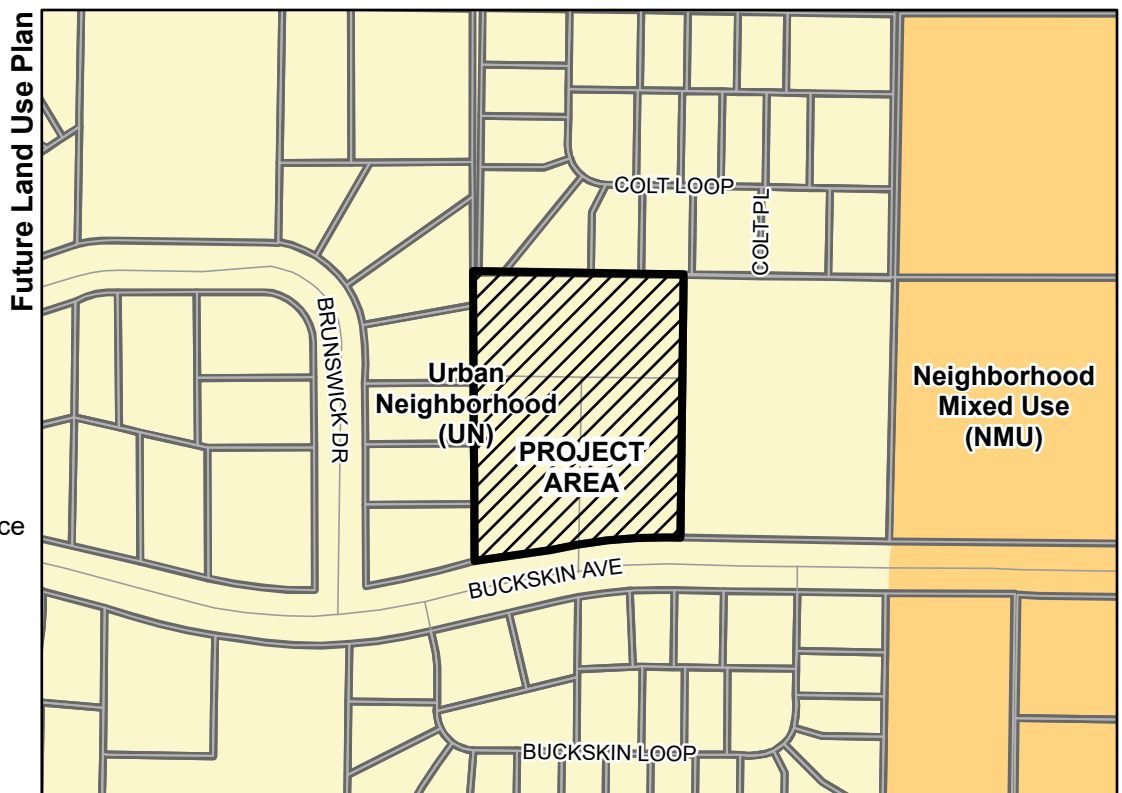
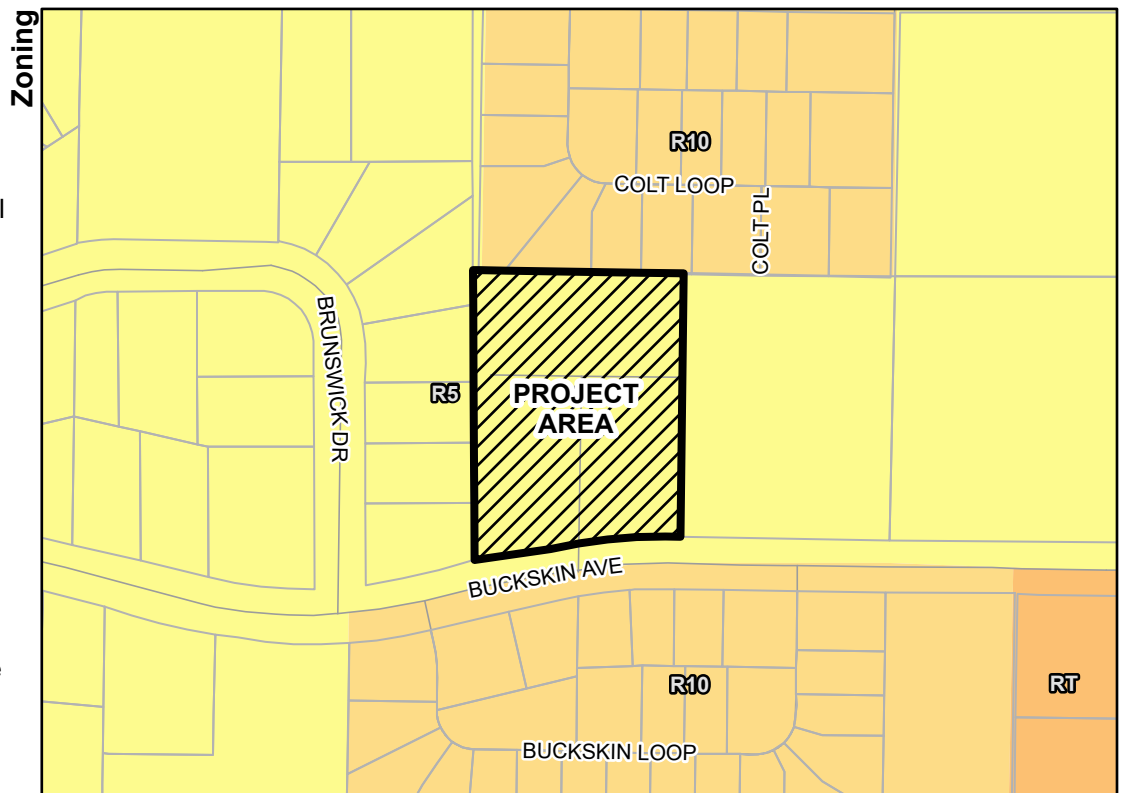
UN	Urban Neighborhood
NMU	Neighborhood Mixed Use
CMU	Community Mixed Use
DMU	Destination Mixed Use
DT	Downtown
IND	Industrial
IF	Industrial Flex
IMU	Industrial Mixed Use
INS	Institutional
RR	Rural
TR	Transitional Rural
PKOS	Parks/Open Space
URA/URB	Urban Reserve Mid/Long-Term

Active Mobility Plan

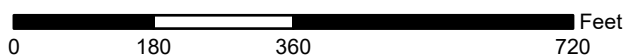
— Future Shared Trail

Major Street Plan

—	Existing Arterial
- -	Future Arterial
—	Existing Collector
- -	Future Collector
—	Existing Interstate
- -	Future Interstate
—	City Limits



This map is for representational use only and does not represent a survey.
No liability is assumed as to the accuracy of the data delineated herein.



City of Bismarck
Planning Department
February 12, 2026

Proposed New Zoning Map

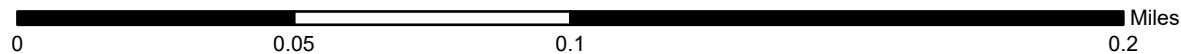
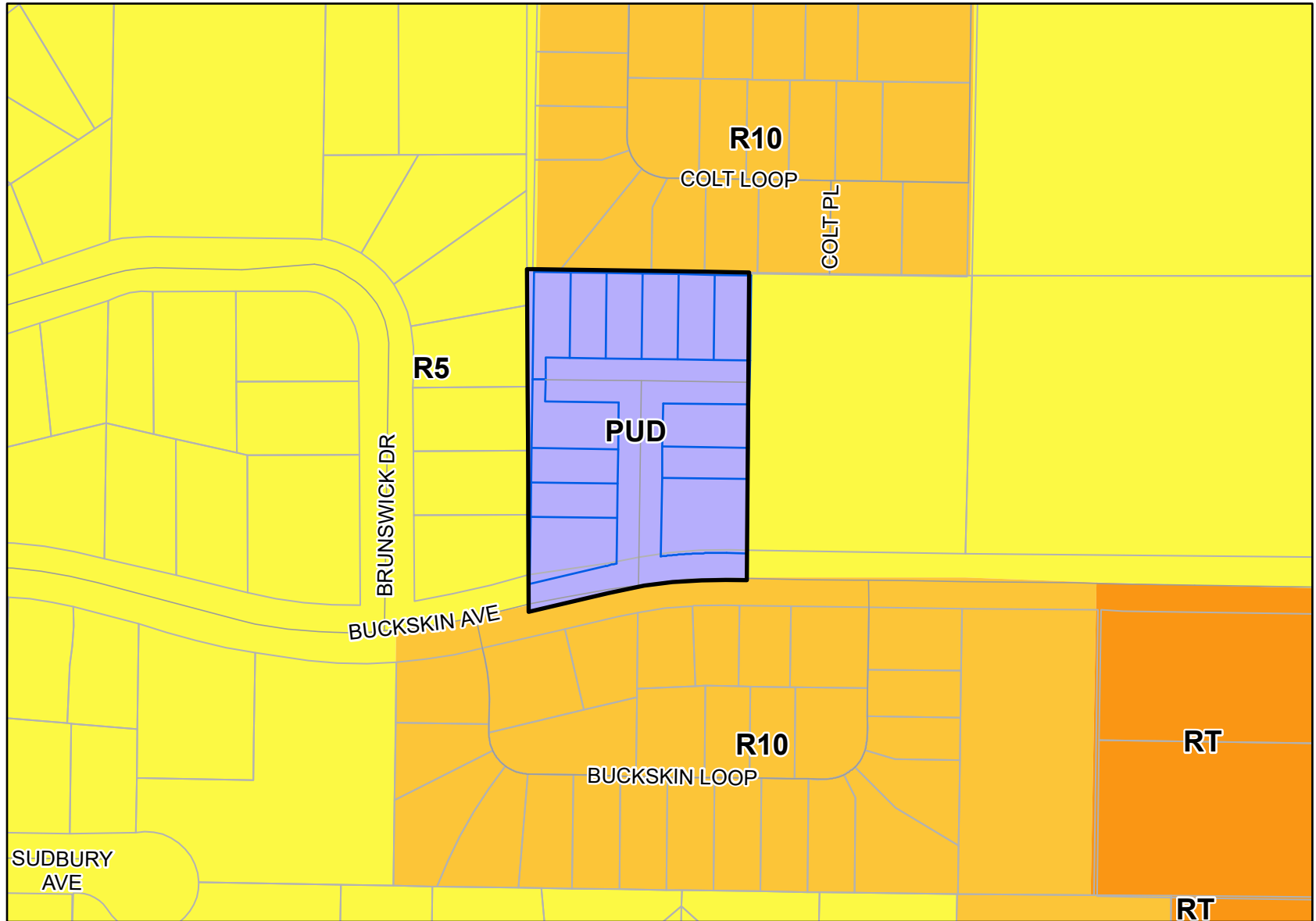
 Project Area
(zoning within
is proposed)

 City Limits

Zoning Districts

A	Agriculture
RR	Rural
R5	Residential
RMH	Manufactured Home Residential
R10	Residential
RM	Residential Multifamily
RT	Residential (Offices)
HM	Health and Medical
CA	Commercial
CG	Commercial
MA	Industrial
MB	Industrial
PUD	Planned Unit Development
DC	Downtown Core
DF	Downtown Fringe

*A "C-" prior to the district
indicates that special
conditions would apply
to the zoning district*



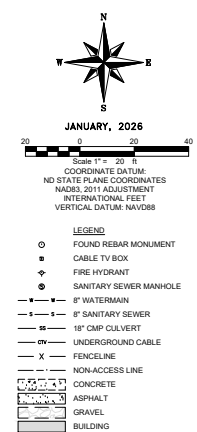
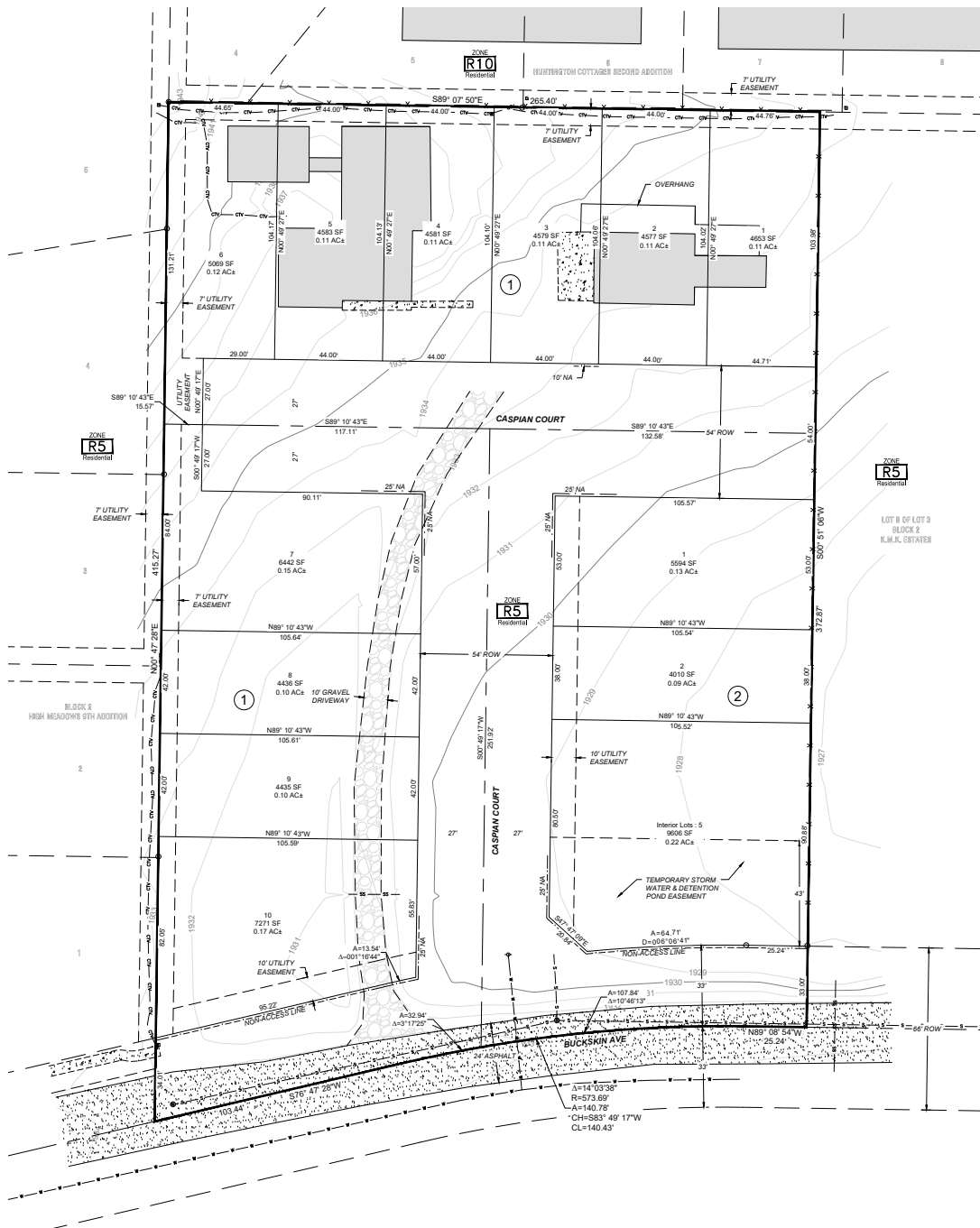
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City of Bismarck
Planning Department
February 13, 2026

PRELIMINARY PLAT
COTTAGE GROVE ADDITION

ALL OF LOT A OF LOT 3, BLOCK 2, AND PART OF BUCKSKIN AVENUE, K.M.K. ESTATES OF THE NORTHEAST 1/4 OF SECTION 20,
TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE 5TH P.M., OF THE CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

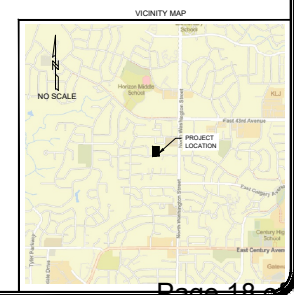


OWNER:
COTTAGE GROVE PROPERTIES, LLC
2409 24TH AVE SE
MANDAN, ND 58554

BASE OF BEARING:
EAST OF BEARING: WEST BOUNDARY LINE:
NORTH 00° 47' 28" EAST.

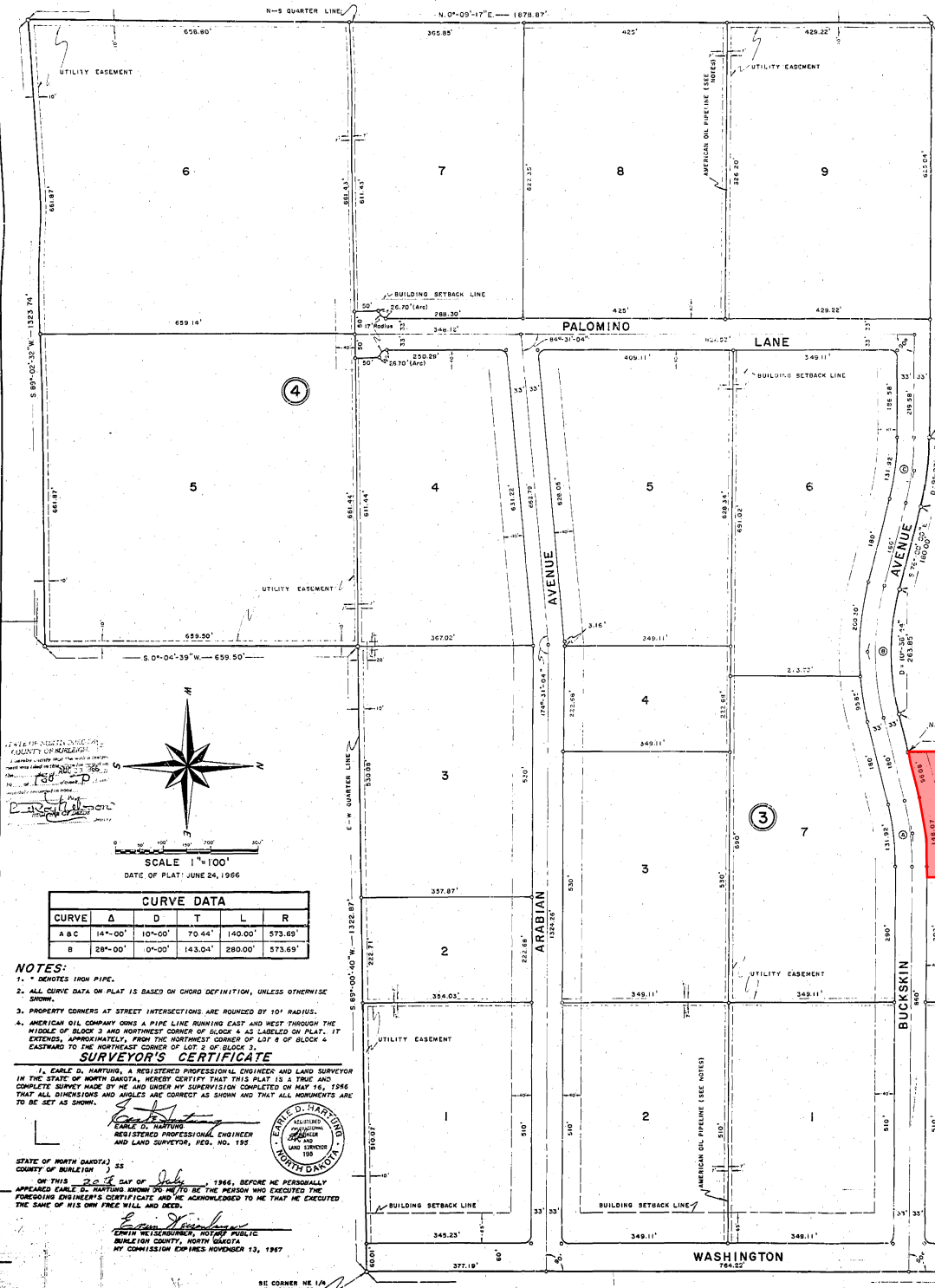
NOTES:

1. BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENT.
2. PROPOSED ZONING: PUD
3. WATER TO BE PROVIDED BY THE CITY OF BISMARCK.
4. TOTAL LOT ACREAGE: 1.81
TOTAL ROAD ACREAGE: 0.75
TOTAL ACREAGE: 2.56



K. M. K. ESTATES

BURLEIGH COUNTY, NORTH DAKOTA



DESCRIPTION

ALL THAT PART OF THE NORTHEAST QUARTER (NE 1/4) AND NORTH HALF (NH) OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW 1/4, SE 1/4) OF SECTION TWENTY (20), TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T.139N.), RANGE EIGHTY WEST (R.80W.) OF THE FIFTH PRINCIPAL MERIDIAN (5TH P.M.), COUNTY OF BURLEIGH, STATE OF NORTH DAKOTA THAT IS BOUNDED BY AND LIES WITHIN THE FOLLOWING DESCRIBED TRACTS:

BEGINNING AT A POINT LYING ON THE EAST LINE OF SAID SECTION TWENTY (20), AND SAID POINT BEING SOUTH (S.0°-00'-00"W.) ALONG SAID EAST LINE A DISTANCE OF THREE HUNDRED SEVENTY-EIGHT AND NO HUNDREDTHS (378.00) FEET FROM THE NORTHEAST CORNER OF SAID SECTION TWENTY (20), FROM SAID POINT OF BEGINNING THE TRVERSE BEARS SOUTH (S.0°-00'-00"W.) ALONG SAID EAST LINE A DISTANCE OF TWO THOUSAND TWO HUNDRED SIXTY-TWO AND NO HUNDREDTHS (2202.00) FEET, THENCE BEARING SOUTH EIGHTY-NINE DEGREES, ZERO MINUTES, AND FORTY SECONDS WEST (S.89°-00'-40"W.) A DISTANCE OF ONE THOUSAND THREE HUNDRED TWENTY-TWO AND EIGHTY-SEVEN HUNDREDTHS (1322.87) FEET TO THE EAST LINE OF THE SAID NORTH HALF (NH) OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW 1/4, SE 1/4); THENCE BEARING SOUTH ZERO DEGREES, FOUR MINUTES AND THIRTY-NINE SECONDS WEST (S.0°-04'-39"W.) ALONG SAID EAST LINE A DISTANCE OF SIX HUNDRED FIFTY-FIVE AND FIFTY HUNDREDTHS (650.50) FEET TO THE SOUTH LINE OF THE SAID NORTH HALF (NH) OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW 1/4, SE 1/4); THENCE BEARING SOUTH EIGHTY-NINE DEGREES, TWO MINUTES AND THIRTY-TWO SECONDS WEST (S.89°-02'-32"W.) ALONG SAID SOUTH LINE A DISTANCE OF ONE THOUSAND THREE HUNDRED TWENTY-THREE AND SEVENTY-FOUR HUNDREDTHS (1323.74) FEET TO THE NORTH-SOUTH QUARTER (N-S) LINE OF SAID SECTION TWENTY (20); THENCE BEARING NORTH ZERO DEGREES, NINE MINUTES AND SEVENTEEN SECONDS EAST (N.0°-09'-17"E.) ALONG SAID NORTH-SOUTH QUARTER (N-S) LINE A DISTANCE OF ONE THOUSAND EIGHT HUNDRED SEVENTY-EIGHT AND EIGHTY-SEVEN HUNDREDTHS (1878.87) FEET, THENCE BEARING EAST (E.90°-00'-00"W.) A DISTANCE OF EIGHT HUNDRED SEVENTY-SEVEN AND SIXTY-TWO HUNDREDTHS (877.62) FEET, THENCE BEARING SOUTHEASTERLY AND TO THE RIGHT ALONG A NINE DEGREE, TWENTY-SEVEN MINUTE AND SEVENTEEN SECONDS (9°-27'-17") CURVE A DISTANCE OF ONE HUNDRED FORTY-EIGHT AND SEVEN HUNDREDTHS (148.07) FEET, THENCE BEARING SOUTH SEVENTY-SIX DEGREES, ZERO MINUTES AND ZERO SECONDS EAST (S.76°-00'-00"E.) A DISTANCE OF ONE HUNDRED EIGHTY AND NO HUNDREDTHS (180.00) FEET, THENCE BEARING TO THE LEFT ALONG A TEN DEGREE, THIRTY-SIX MINUTE AND FORTY-FOUR SECONDS (10°-36'-44") CURVE A DISTANCE OF TWO HUNDRED FIFTY-FIVE AND FIFTY-FIVE HUNDREDTHS (255.55) FEET, THENCE BEARING NORTH SEVENTY-SIX DEGREES, ZERO MINUTES AND ZERO SECONDS EAST (N.76°-00'-00"E.) A DISTANCE OF EIGHTY-THREE AND NINETY-TWO HUNDREDTHS (83.92) FEET, THENCE BEARING NORTH (N.0°-00'-00"W.) A DISTANCE OF ONE THOUSAND FOUR HUNDRED EIGHTY-FIVE AND SEVENTEEN HUNDREDTHS (1485.17) FEET TO THE NORTH LINE OF SAID SECTION TWENTY (20); THENCE BEARING NORTH EIGHTY-EIGHT DEGREES, FIFTY-TWO MINUTES AND FIFTEEN SECONDS EAST (N.88°-52'-15"E.) ALONG SAID NORTH LINE A DISTANCE OF FIVE HUNDRED THIRTY AND TEN HUNDREDTHS (530.10) FEET, THENCE BEARING SOUTH (S.0°-00'-00"W.) A DISTANCE OF THREE HUNDRED SEVENTY-EIGHT AND NO HUNDREDTHS (378.00) FEET, THENCE BEARING NORTH EIGHTY-EIGHT DEGREES, FIFTY-TWO MINUTES AND FIFTEEN SECONDS EAST (N.88°-52'-15"E.) A DISTANCE OF FIVE HUNDRED SEVENTY AND ELEVEN HUNDREDTHS (570.11) FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS ONE HUNDRED TWENTY-THREE AND SEVENTY-SIX HUNDREDTHS (123.74) ACRES, MORE OR LESS.

OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE K.M.K. CORPORATION, A NORTH DAKOTA CORPORATION, KENNETH J. LANDSEBERGER AND BENEVIKKE M. LANDSEBERGER, JOHN V. GARTNER AND DOROTHY M. GARTNER, JOSEF HICHLER AND LIESELOTTE HICHLER, WOLFGANG JOSEPH AND LOIS JEAN SCHERR, CARL F. LIPPERT AND CHRISTINA LIPPERT, AND RICHARD O. FLUKE, ARE THE OWNERS AND PROPRIETORS OF THE PROPERTY SHOWN AND DESCRIBED ON THE ANNEXED PLAT AND HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN AS "K.M.K. ESTATES" AND DO HEREBY DEDICATE STREETS AS SHOWN HEREON, INCLUDING ALL SIDWALKS, CURBS, GUTTERS, WATER DISTRIBUTION LINES, GAS DISTRIBUTION LINES, AND OTHER PUBLIC UTILITY LINES, WHETHER SHOWN HEREON OR NOT, TO THE PUBLIC USE FOREVER. THEY ALSO DEDICATE EASEMENTS TO RUN WITH THE LAND, FOR WATER, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON, OR OVER THOSE CERTAIN STRIPS OF LAND IDENTIFIED HEREON AS "UTILITY EASEMENTS".

OWNER: LOT 1, BLK. 1
K.M.K. CORPORATION
KENNETH J. LANDSEBERGER
JOHN V. GARTNER
JOSEF HICHLER
WOLFGANG JOSEPH
LIESELOTTE HICHLER
CHRISTINA LIPPERT
CARL F. LIPPERT
RICHARD O. FLUKE
DOROTHY M. GARTNER

OWNER: LOT 2, BLK. 1
K.M.K. CORPORATION
KENNETH J. LANDSEBERGER
JOHN V. GARTNER
JOSEF HICHLER
WOLFGANG JOSEPH
LIESELOTTE HICHLER
CHRISTINA LIPPERT
CARL F. LIPPERT
RICHARD O. FLUKE
DOROTHY M. GARTNER

OWNER: LOT 3, BLK. 1
K.M.K. CORPORATION
KENNETH J. LANDSEBERGER
JOHN V. GARTNER
JOSEF HICHLER
WOLFGANG JOSEPH
LIESELOTTE HICHLER
CHRISTINA LIPPERT
CARL F. LIPPERT
RICHARD O. FLUKE
DOROTHY M. GARTNER

OWNER: LOT 3, BLK. 4
K.M.K. CORPORATION
KENNETH J. LANDSEBERGER
JOHN V. GARTNER
JOSEF HICHLER
WOLFGANG JOSEPH
LIESELOTTE HICHLER
CHRISTINA LIPPERT
CARL F. LIPPERT
RICHARD O. FLUKE
DOROTHY M. GARTNER

STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH) ss
ON THIS 20th DAY OF June, 1966, BEFORE ME PERSONALLY APPEARED KENNETH J. LANDSEBERGER AND JOHN V. GARTNER, JOSEF HICHLER AND LIESELOTTE HICHLER, WOLFGANG JOSEPH AND LOIS JEAN SCHERR, CARL F. LIPPERT AND CHRISTINA LIPPERT, AND RICHARD O. FLUKE, AND THEY EXECUTED THE FOREGOING INSTRUMENT AND EACH AND SEVERALLY ACKNOWLEDGED THAT THEY EXECUTED THE SAME FOR USES AND PURPOSES THEREIN EXPRESSED.

W. J. KAVANEY, Notary Public
Burleigh County, N. Dak.
MY COMMISSION EXPIRES June 13th, 1967

CITY PLANNING COMMISSION APPROVAL

THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF BISMARCK, on June 18, 1966, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, AND REGULATIONS ADOPTED BY SAID PLANNING COMMISSION, IN WITNESS WHEREOF - SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF BISMARCK.

JOHN G. TAYLOR, CHAIRMAN
DOROTHY M. GARTNER, SECRETARY

COUNTY PLANNING COMMISSION APPROVAL

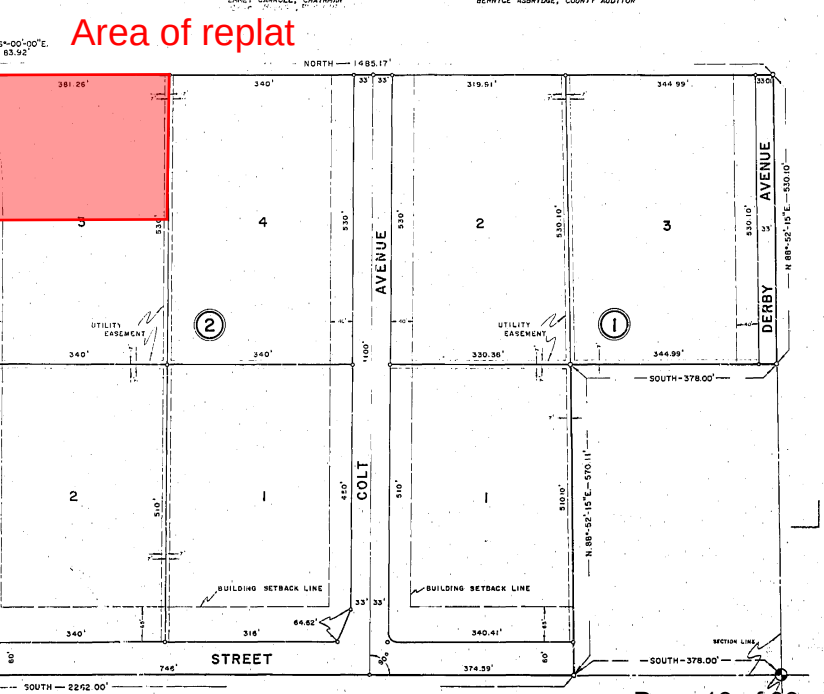
THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF BURLEIGH COUNTY ON August 1, 1966, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA AND REGULATIONS ADOPTED BY THE SAID PLANNING COMMISSION OF BURLEIGH COUNTY, NORTH DAKOTA.

ERWIN SORNGRUB, CHAIRMAN
BERNICE ASBIDGE, SECRETARY

APPROVAL OF BOARD OF COUNTY COMMISSIONERS

THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON AND HAS APPROVED THE GROUNDS AS SHOWN ON THE ANNEXED PLAT AS AN AMENDMENT OF THE MASTER PLAN OF BURLEIGH COUNTY. THE FOREGOING ACTION OF THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, HAS TAKEN BY RESOLUTION APPROVED THE 2nd DAY OF August, 1966.

EMMETT CARROLL, CHAIRMAN
BERNICE ASBIDGE, COUNTY AUDITOR



January 28, 2026

City of Bismarck Community Development
Daniel Nairn, Planning Director
221 N. 5th Street
Bismarck, ND 58501

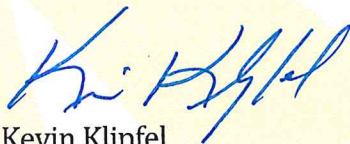
Re: Waiver Letter for Cottage Grove Addition (PPLT2026-001)

Dear Daniel:

Cottage Grove Addition is an infill subdivision currently in the preliminary plat process and any major plat that is zoned residential would be included in the Neighborhood Park and Open Space policy. We appreciate your continued partnership with the policy and your notice of this project moving forward.

Since the replat is only 0.5 miles away from New Generations Park and Normandy Park, Bismarck Parks and Recreation District is providing a waiver of the Neighborhood Park and Open Space Policy for the Cottage Grove Addition.

Please let me know if you have any questions.



Kevin Klipfel
Executive Director

A nationally accredited park and recreation agency.

STAFF REPORT

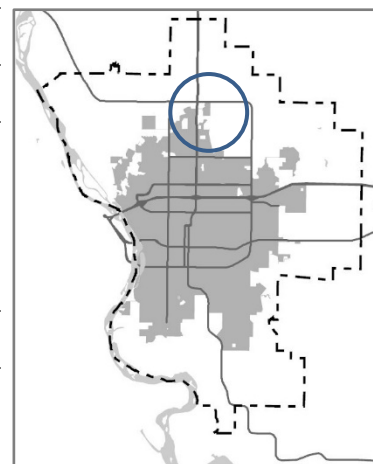
Agenda Item # 3B
February 25, 2026

Application for: **Zoning Map Amendment**
Preliminary Plat

Project ID: **ZC2026-002**
PPLT2026-002

Project Summary

<i>Title:</i>	JMAC Industrial Second Addition
<i>Status:</i>	Planning and Zoning Commission – Consideration
<i>Property Owner(s):</i>	Yukon Investments, LLC, Applicant (All lots in JMAC Industrial Addition) Ron Knutson (Part of parcel 31-139-80-00-10-405) City of Bismarck (Parcel 31-139-80-00-10-401) Burleigh County (Parcel 31-139-80-00-10-411)
<i>Project Contact:</i>	Landon Niemiller, AICP, Swenson Hagen & Co.
<i>Project Location:</i>	In north Bismarck, east of Highway 83 Northeast, in the southwest quadrant of the intersection of North 19th Street and 71st Avenue NE
<i>Project Size:</i>	37.00 acres, more or less
<i>Applicant Request:</i>	Replat and rezone to reconfigure existing lots and realign right-of-way
<i>Staff Recommendation:</i>	Tentatively approve / call for public hearing



Site Information

<i>Existing Conditions</i>		<i>Proposed Conditions</i>	
<i>Lots/Blocks:</i>	13 lots in 4 blocks	<i>Lots/Blocks:</i>	23 lots in 3 blocks
<i>Land Use:</i>	Undeveloped industrial	<i>Land Use:</i>	No change
<i>Future Land Use:</i>	Industrial (IND) Industrial Flex (IF)	<i>Future Land Use:</i>	No change
<i>Zoning:</i>	MA – Industrial A – Agricultural	<i>Zoning:</i>	MA – Industrial
<i>Uses Allowed:</i>	MA – Light industrial, general commercial, warehouses, manufacturing and shop condos A – Agriculture	<i>Uses Allowed:</i>	MA – Light industrial, general commercial, warehouses, manufacturing and shop condos
<i>Max Density:</i>	MA – N/A A – 1 unit / 40 acres	<i>Max Density:</i>	MA – N/A

(continued)

Area Information**Property History**

<i>Zoning Jurisdiction:</i>	Bismarck City Limits (JMAC Industrial Addition) Extraterritorial Area (ETA) (43' of NW1/4 of Sec.10)	<i>Zoned:</i>	06/2015
<i>Township:</i>	Hay Creek (organized)	<i>Platted:</i>	02/2016
<i>Neighborhood:</i>	Memory	<i>Annexed:</i>	01/2016

Project Narrative

Yukon Investments, LLC, with consent from the other current owners Ron Knutson, City of Bismarck, and Burleigh County, requests approval of a zoning map amendment from the MA – Industrial and A – Agricultural zoning districts to the MA – Industrial zoning district and a major subdivision preliminary plat titled JMAC Industrial Second Addition.

Most of the project area was annexed in 2016. However, there is currently no city water available in this area and sanitary sewer has not been extended across North 19th Street for the eastern lots in this subdivision. Additionally, the only available point of access is from 71st Avenue NE to the north.

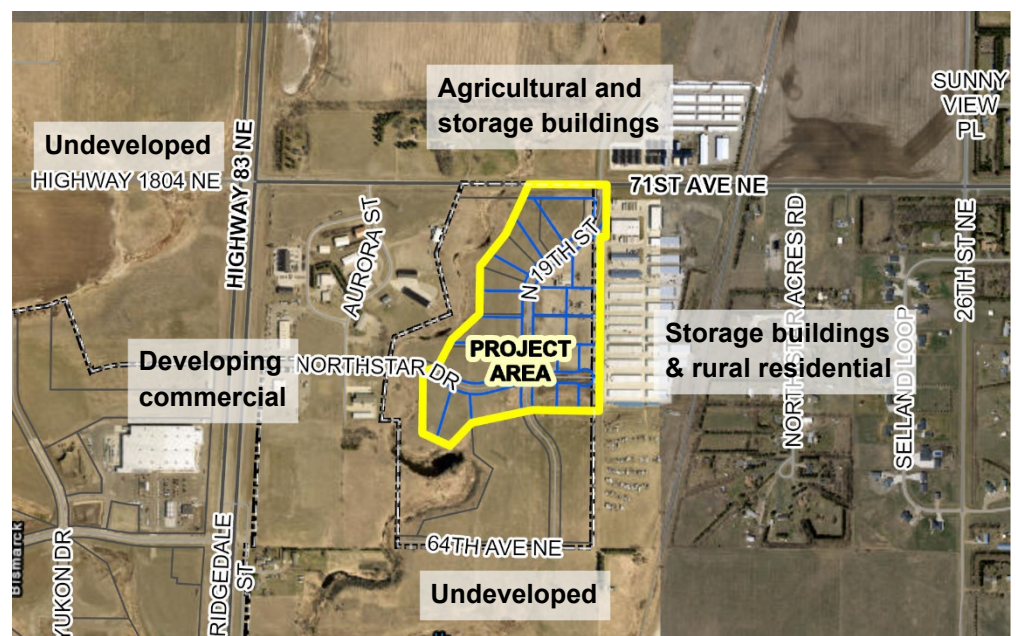
The applicant has stated an intention to begin developing lots in this area in the spring of 2026. In order for this to occur, all municipal services will need to be provided prior to development of the lots including construction of North 19th Street and full city water, sewer, and stormwater services. The applicant may enter into a development agreement to determine the implementation and timing of necessary improvements.

The annexation request for the remaining unannexed east 43 feet of the NW1/4 of Section 10 incorporated within the proposed subdivision will be included with the request for a final plat.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:

A Zoning and Plan Reference Map is attached to this staff report, including current zoning, the Future Land Use Plan, Major Street Plan, and Active Mobility Plan.



(continued)

The property has been identified as Industrial (IND) and Industrial Flex (IF) in the Future Land Use Plan. The IND areas are centers for research, production, and distribution and IF areas are flexible employment centers for a range of businesses. Goals and objectives of this plan as they relate to annexations, zoning map amendments, and major subdivision preliminary plats are referenced in review standards below.

The area is adjacent to storage buildings and agricultural land to the north across 71st Avenue NE; storage buildings to the east with rural residential just beyond; undeveloped land to the south; and developing commercial to the west.

Public Engagement

Public engagement will commence if the Planning and Zoning Commission calls for a public hearing on this request.

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Open Development Projects Dashboard and Community Development Activities map.

All written comments received by staff prior to the public hearing will be distributed to the Planning and Zoning Commission and summarized by staff during the oral presentation.

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

Zoning Map Amendment

The Future Land Use Plan is adhered to with the proposed zoning map amendment ([Future Land Use Plan](#))

Yes. The proposed zoning map amendment is within the area designated as IND and IF in the Future Land Use Plan, as described in the Project Context section above. The proposed zoning district would generally conform to the character of this district.

The proposed amendment is compatible with adjacent land uses and zoning ([Goal S10-a](#), [S5-a](#))

Yes. Adjacent uses are described in the project context section above. The proposed zoning district would allow light industrial uses including warehouses, manufacturing, and storage. Development that may be anticipated from the proposed zoning would have no negative impact on the surrounding properties.

A change in conditions or by an error in the zoning map has occurred since the previous zoning classification was established ([Goal S9-e](#))

Yes. The current zoning district of MA – Industrial was established in June 2015, and the current zoning district of A – Agricultural for the remainder of the project area is the default for any piece of land that has not been otherwise zoned. Conditions have changed since this time.

The City adopted its comprehensive plan, Together 2045, and Future Land Use Plan in December of 2022. The Future Land Use Plan continues to identify this area for industrial uses. The project location is in a developing commercial and industrial area, and the reconfiguration of lots and realignment of North 19th Street right-of-way would facilitate the continued development of commercial- and industrial-zoned lots within it.

Undue restriction of housing options or access to neighborhood amenities would not result from the proposed zoning map amendment ([Goal S1-a](#), [Goal T1-c](#))

Yes. The proposed zoning map amendment would not adversely impact housing opportunities in any way.

(continued)

The goals and objectives of Together 2045 Bismarck's Comprehensive Plan would be advanced by the proposed zoning ordinance map amendment ([Comprehensive Plan](#))

Yes. The following objectives of the plan would be advanced through the proposed amendment.

- S9: Provide the means for the adaptation of the built environment to meet complex and changing economic and social demands.
- G3: Coordinate expansion of city infrastructure and services with growth.
- G4(c): During interim periods of development before final completion of a looped water system, only allow development quantity and types that can be adequately protected from fire with available water pressure at time of occupation.

The general intent and purpose of the zoning ordinance would be adhered to with the proposed zoning map amendment (Section 14-02-01; [NDCC 40-27-03](#))

Yes. The proposed zoning map amendment would support the purpose of the zoning ordinance, as stated in the City Code of Ordinances and North Dakota Century Code.

Proper administrative procedures related to the request are being followed (Section 14-07-02, [NDCC Chapter 40-47](#))

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. The applicant has submitted a complete application for a zoning map amendment, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission.

The public health, safety and general welfare will not be adversely impacted by the proposed zoning map amendment ([Goal S10-a](#))

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed zoning map amendment would not adversely impact the public health, safety, and general welfare.

Major Subdivision Preliminary Plat

The Major Street Plan is adhered to with the proposed subdivision ([Major Street Plan](#))

Yes. The corridors identified in the Major Street Plan are incorporated into rights-of-way within the proposed subdivision. 71st Avenue NE is along the northern boundary of the plat and North 19th Street passes north-south through the center of the plat. A plan reference map is attached to this staff report.

The Active Mobility Plan is adhered to with the proposed subdivision ([Active Mobility Plan](#))

Yes. There are no corridors identified in the Active Mobility Plan within or adjacent to the proposed subdivision. A plan reference map is attached to this staff report.

A neighborhood park will be available within walking distance for all urban residents ([Goal I1-a](#), Section 14-09-04(2)a(vii))

Yes. The provision of neighborhood parks and open space is not needed because the proposed preliminary plat is not an urban subdivision with residential zoning districts.

Vehicle trips generated by the proposed subdivision will be adequately supported by the transportation system ([Goal C3-c](#))

Yes. The proposed subdivision would likely not have a substantial effect on circulation and safety of public roadways in the vicinity, and therefore no traffic impact study is required.

(continued)

Street connectivity is provided for efficient travel and secondary access for emergency services ([Goal C4](#), Section 14-09-05)

No. The proposed subdivision would result in a disconnected street network, leading to potential traffic congestion and barriers to emergency response. The applicant has submitted a waiver to allow a cul-de-sac for Northstar Circle and a waiver to allow a greater block length than the maximum due to site constraints in this area.

The use of a cul-de-sac is justified because there is no reasonable opportunity to provide for future connections to adjoining streets in that area due to the existing storage buildings to the east of the subdivision. Additionally, there will be limited connectivity to the west and south of the proposed subdivision until future East-West connections are made and North 19th Street is extended.

Most subdivision design requirements have been met; however, the maximum block length requirement of 1,320 feet, intended to promote street connectivity, has not been met. The applicant has submitted a waiver for this requirement noting site constraints including natural barriers such as topography and water features to the west and existing industrial buildings to the east. These constraints limit where an East-West street connection may occur in this area.

The City's Secondary Roadway Access Policy will not be met allowing alternative routes into and out of the subdivision. The only available point of access is from 71st Avenue NE. For this to be met, an East-West street connection or the extension of North 19th Street is needed. Identification of when and how this necessary connection would occur would be the primary reason for a development agreement.

Roadway access is managed to reduce potential points of conflict and improve safety ([Goal C3-b](#))

Yes. Direct access to major public roadways is appropriately limited and spacing of all intersections is adequate to meet the City's access management standards and professional engineering judgement. Non-access lines will be dedicated with the proposed plat to communicate and enforce this access control.

Stormwater runoff impacted by this subdivision is adequately managed to protect public and private investments and the natural environment ([Goal I5](#), Section 14.1-04-03);

Yes. There is a plan to manage any stormwater runoff generated by this subdivision. A scoping sheet for a post-construction stormwater management permit (PCSMP) has been approved by the City Engineer, and the PCSMP will be approved prior to submittal of a final plat.

Dimensional standards of the zoning ordinance are met with the proposed subdivision (Title 14)

Yes. All lots meet area and width requirements of the zoning district within which they are located, and there is sufficient space within each lot for anticipated buildings to meet density, setback, and lot coverage requirements. All rights-of-way and dedicated easements conform to design standards of the subdivision ordinance.

Natural hazards and impact to environmentally sensitive land is minimized through the location and design of the proposed subdivision ([Goal I6-a](#))

Yes, with restrictions on development. A portion of 71st Avenue NE right-of-way within the proposed subdivision is located within the Special Flood Hazard Area (SFHA), also known as the 100-year floodplain. However, the subdivision is proposed to be developed according to existing ordinance requirements pertaining to development in the floodplain and no development will occur within that area. Therefore, the proposed development would not adversely impact water quality and/or environmentally sensitive lands.

(continued)

Water supply systems will seamlessly transition from a rural to an urban system through cooperation with the South-Central Regional Water District (Goal G3-f, Section 14-09-04(2)d)

Yes. The proposed subdivision will be served with municipal water upon development as outlined in a development agreement and no future transition will be necessary.

The City's investment in infrastructure associated with the proposed subdivision is expected to receive a proportional long-term return to residents through future revenues or other public goods associated with this subdivision (Goal G3-a)

Yes, with a development agreement to be approved by the City Commission which may identify timing components and responsibilities of each party. Public costs associated with provision of municipal water and sewer service to the new development will be adequately compensated for through payment of utility capital charges. The initial development will be funded by the developer or through special assessment of properties benefitted by said improvements, as outlined in the Development Cost Policy. Ongoing costs of maintenance and operation of all public facilities will be offset by property and/or sales tax derived from the proposed subdivision.

Technical specifications required of the preliminary plat have been met (Section 14-09-07)

Yes. The proposed preliminary plat contains the required information to ensure an accurate and timely review by staff, the Planning and Zoning Commission, and the general public.

Proper administrative procedures related to the request are being followed (Section 14-09-04)

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. Staff held a

meeting with the applicant to discuss the request prior to submittal of a formal application. A complete application for the preliminary plat was submitted to the Planning Department, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission.

The public health, safety and general welfare will not be adversely impacted by the proposed subdivision (Goal S10-a)

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed subdivision would not adversely impact the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends calling for a public hearing on the zoning map amendment from the MA – Industrial and A – Agricultural zoning districts to the MA – Industrial zoning district and a major subdivision preliminary plat titled JMAC Industrial Second Addition with the following conditions:

1. A waiver for a cul-de-sac and a waiver permitting a greater block length beyond subdivision standard of 1,320 feet are approved with this request.

Attachments

1. Draft Zoning Ordinance
2. Zoning and Plan Reference Map
3. Proposed Zoning Map
4. Preliminary Plat
5. Cul-de-sac Justification
6. Subdivision Standards Waiver

(continued)

Staff report prepared by: Lauren Oster, Planner

701-355-1846 | laoster@bismarcknd.gov

CITY OF BISMARCK

ORDINANCE NO. XXXX

First Reading
Second Reading
Final Passage and Adoption
Publication Date

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-03-02 OF THE CITY OF BISMARCK CODE OF ORDINANCES (1986 Rev.), AS AMENDED, RELATING TO THE BOUNDARIES OF ZONING DISTRICTS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 14-03-02 of the Code of Ordinances of the City of Bismarck, North Dakota is hereby amended to read as follows:

The following described property shall be excluded from the A – Agricultural and MA – Industrial zoning districts and included in the MA – Industrial zoning district:

Lots 1-8, Block 1, Lots 1-12, Block 2 and Lots 1-3, Block 3, JMAC Industrial Second Addition

Section 2. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Taking Effect. This ordinance shall take effect upon final passage, adoption and publication.

Zoning Districts

A	Agriculture
RR	Rural
R5	Residential
RMH	Manufactured Home Residential
R10	Residential
RM	Residential Multifamily
RT	Residential (Offices)
HM	Health and Medical
CA	Commercial
CG	Commercial
MA	Industrial
MB	Industrial
PUD	Planned Unit Development
DC	Downtown Core
DF	Downtown Fringe

Future Land Use Plan

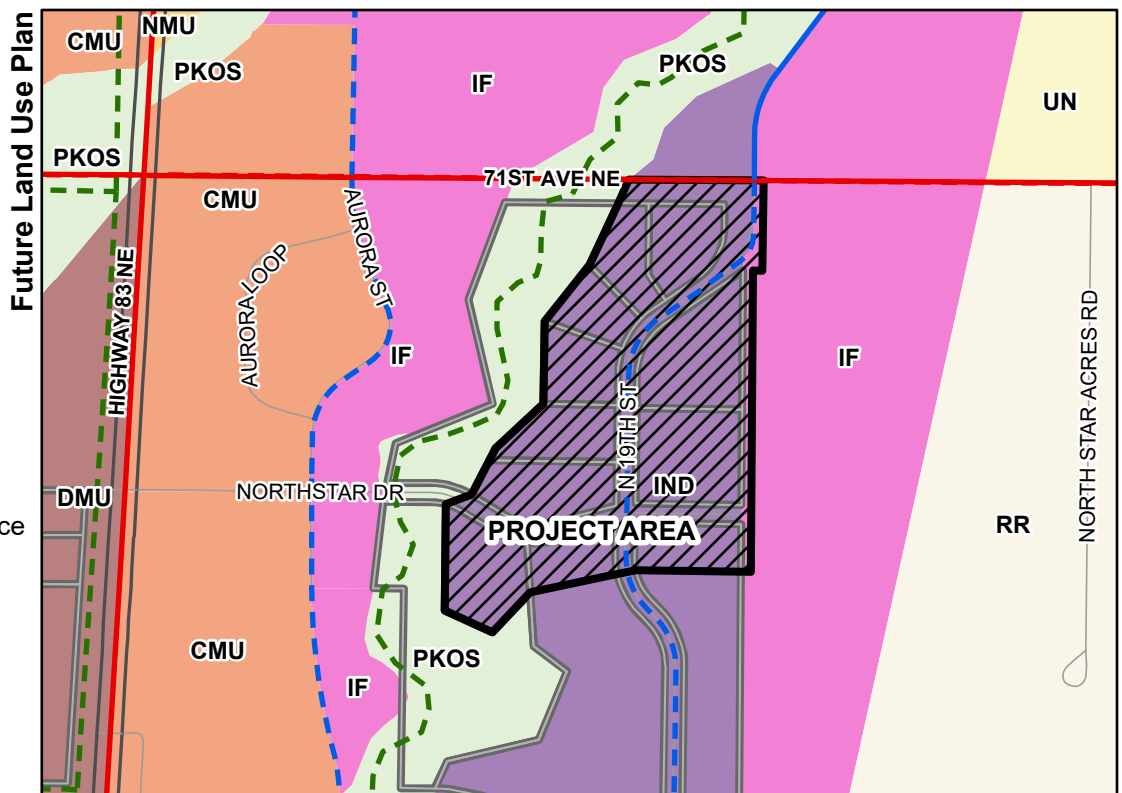
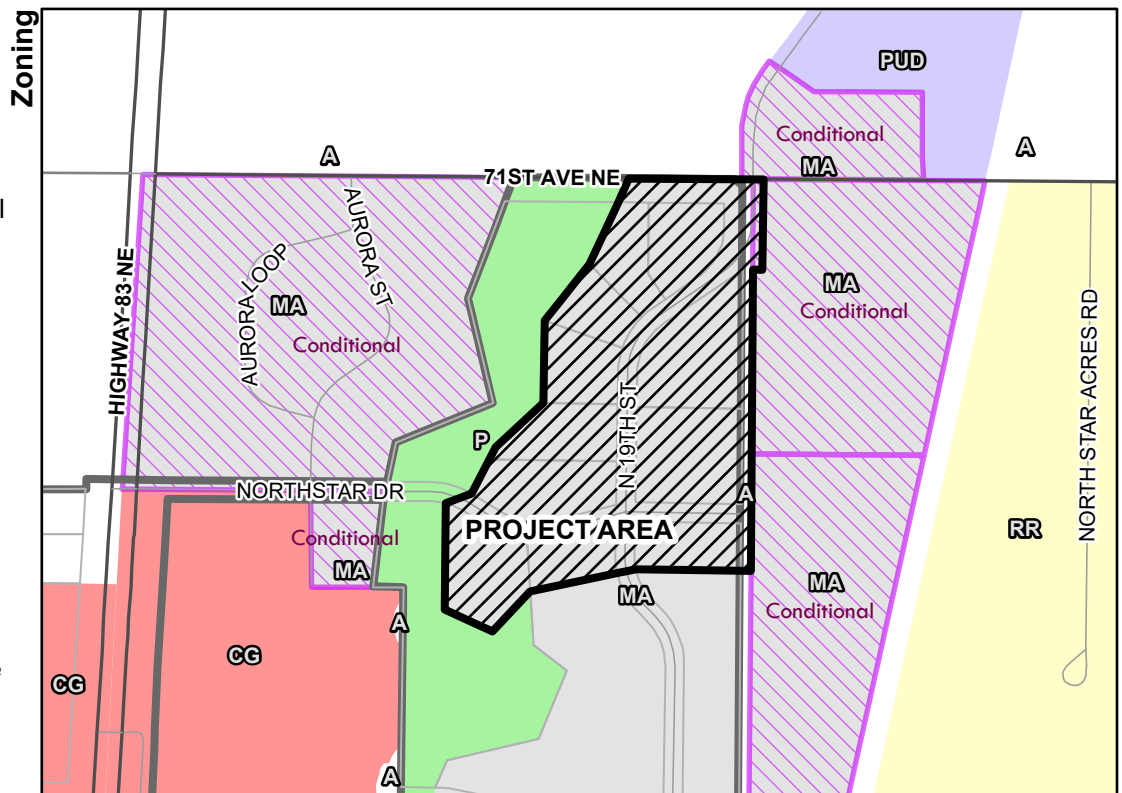
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IND	Industrial
IF	Industrial Flex
IMU	Industrial Mixed Use
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RR	Rural
TR	Transitional
PKOS	Parks/Open Space
URA/URB	Urban Reserve Mid/Long-Term

Active Mobility Plan

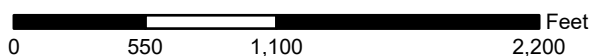
— Future Shared Trail

Major Street Plan

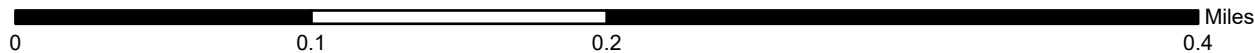
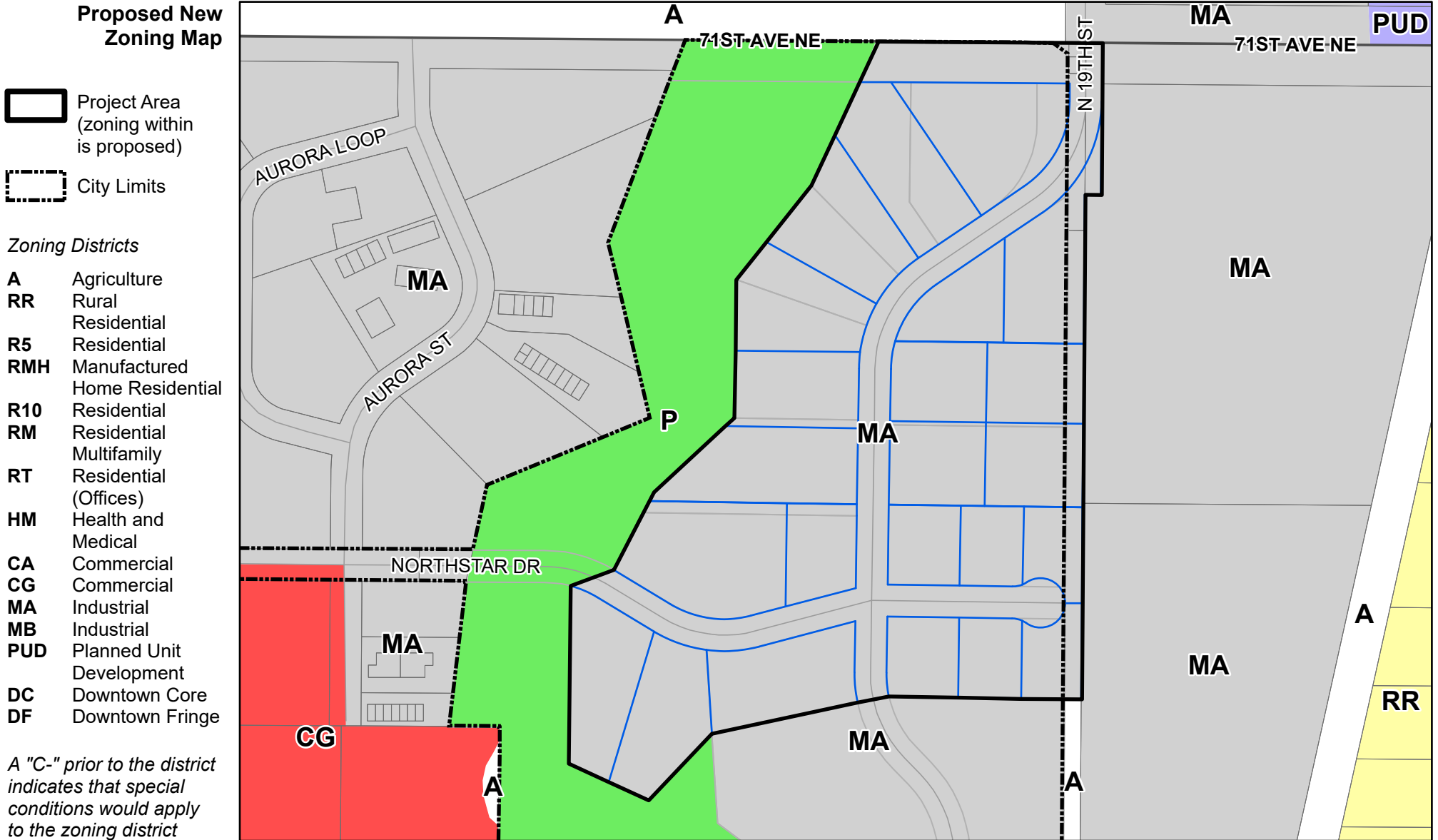
- Existing Arterial
- - Future Arterial
- Existing Collector
- - Future Collector
- Existing Interstate
- - Future Interstate
- ▬ City Limits



This map is for representational use only and does not represent a survey.
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City of Bismarck
Planning Department
February 17, 2026



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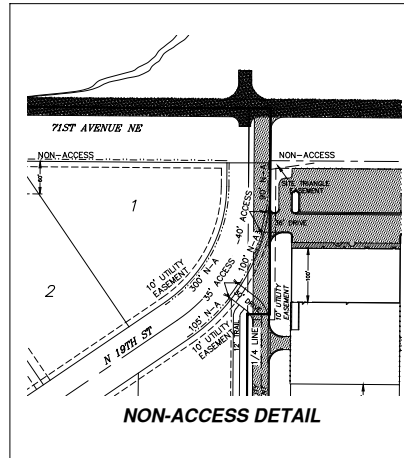
City of Bismarck
Planning Department
February 17, 2026

JMAC INDUSTRIAL SECOND ADDITION

BEING PART OF LOT 1 BLOCK 1, LOT 2 BLOCK 1 LOTS 1-6 BLOCK 2, ALL OF BLOCK 3, PART OF LOT 1
BLOCK 4 JMAC INDUSTRIAL ADDITION, PART OF THE EASTERLY 43' OF THE NW 1/4,
AND PART OF THE NE 1/4 OF
OF SECTION 10, TOWNSHIP 139 NORTH, RANGE 80 WEST
OF THE FIFTH PRINCIPAL MERIDIAN

BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA PRELIMINARY PLAT

0' 100'
SCALE - 1" = 100'
JANUARY 15, 2026
VERTICAL DATUM:
NAD83



37.0 ACRES

EXISTING ZONING: MA/A

PROPOSED ZONING: MA

23 LOTS, 3 BLOCKS

OWNERS:

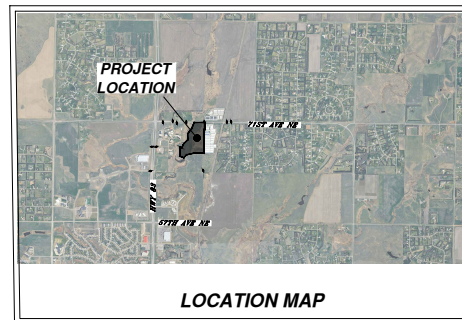
YUKON INVESTMENTS, LLC
555 HWY 1804 NE
BISMARCK, ND 58503

RON KNUTSON
555 HWY 1804 NE
BISMARCK, ND 58503

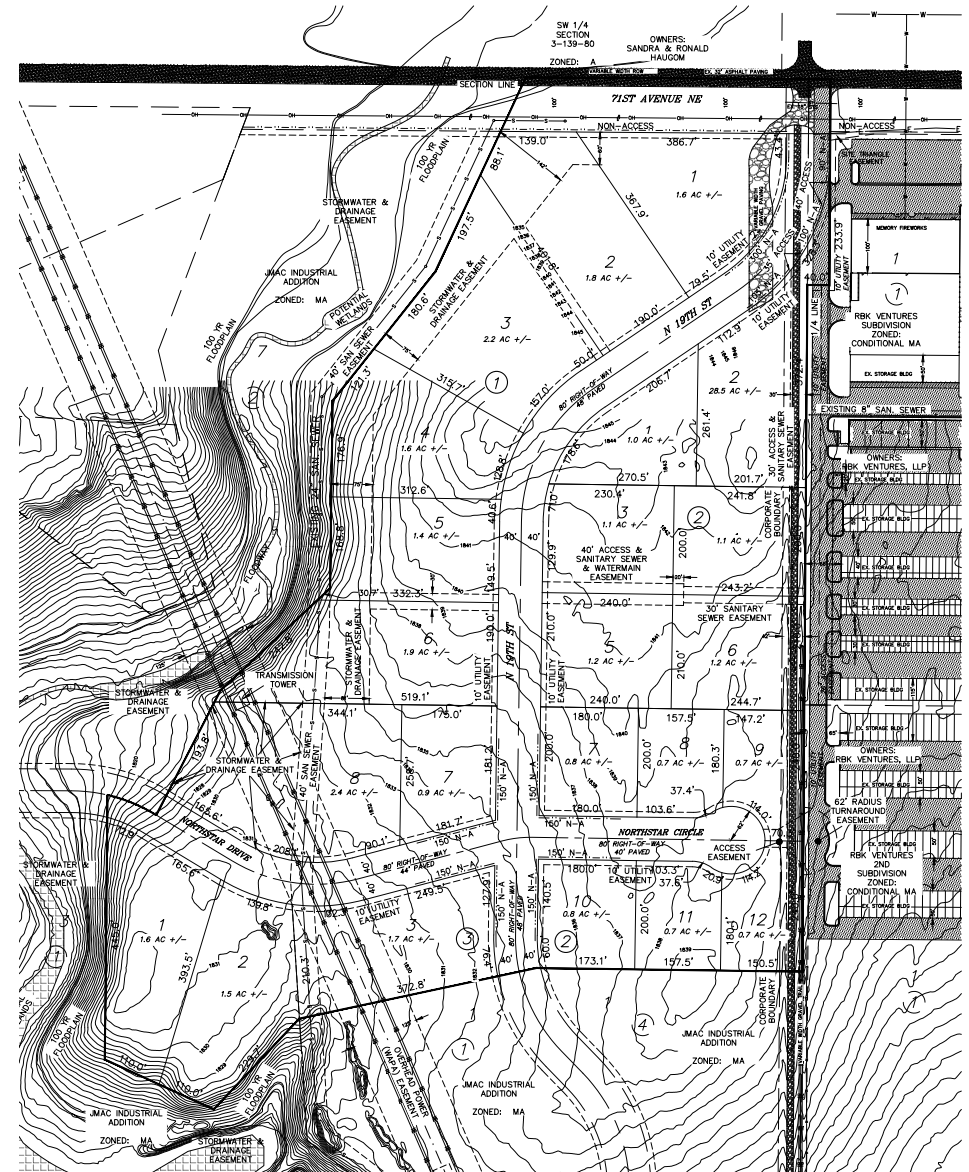
CITY OF BISMARCK
221 N. 5TH ST
BISMARCK, ND 58501

BURLEIGH COUNTY
221 N. 5TH ST
BISMARCK, ND 58501

SURVEYOR:
SWENSON HAGEN & CO
3002 AIRWAY AVE
BISMARCK, ND 58504



CENTERLINE LENGTHS:
71ST AVE---560 LF (ARTERIAL)
19TH ST---1870 LF (COLLECTOR)
NORTH STAR DR/CIRCLE---1130 LF (LOCAL)





City of Bismarck
Community Development Department
Planning Division
Phone: 701-355-1840 • FAX: 701-222-6450
PO Box 5503 • Bismarck, ND 58506-5503
planning@bismarcknd.gov TDD: 711

Last Revised: 11/14/24

CUL-DE-SAC JUSTIFICATION

Section 14-05-09(n) of City Code of Ordinances states:

Cul-de-sacs. The use of cul-de-sac streets shall be limited in order to promote a well-connected street network that provides for safe, direct and convenient access by vehicles, bicycles, and pedestrians. Cul-de-sac streets may be permitted in instances where there is no reasonable opportunity to provide for future connections to adjoining streets, including natural barriers such as topography or water features, man-made barriers such as railroad tracks, or to discourage through traffic between incompatible land uses. Detailed written justification for the use of cul-de-sac streets in proposed subdivision plats shall be provided as part of the plat application process.

Proposed Subdivision Name:

JMAC SECOND ADDITION

Justification for the use of cul-de-sacs:

The proposed North Star Circle cul-de-sac within JMAC second addition is needed, as the further extension of North Star Drive easterly is not possible. RBK Subdivison, located east of and adjacent to the JMAC Second Addition has been developed with a series of industrial buildings that would directly impede the extension of the road.



City of Bismarck
Community Development Department
Planning Division
Phone: 701-355-1840 • FAX: 701-222-6450 • TDD: 711
PO Box 5503 • Bismarck, ND 58506-5503
planning@bismarcknd.gov

Last Revised: 05/14/2025

SUBDIVISION REQUIREMENTS/ STANDARDS WAIVER REQUEST

If any waivers from subdivision requirements/standards are being requested, this form must be completed and submitted in conjunction with the unified development application. ***This form cannot be used for amendments to the Major Street Plan or the Future Land Use Plan, or for written justification for the use of cul-de-sacs or private roadways.***

SUBDIVISION INFORMATION:

Name of Subdivision:

JMAC Industrial Second Addition

REQUESTED WAIVERS FROM SUBDIVISION REQUIREMENTS/STANDARDS:

☐ Ghost Platting

Reason for Request:

☐ Paving of Interior Roadways

Reason for Request:

☒ Maximum Block Length

Reason for Request:

Block 1: Exceeds max block length by re-platting the previously platted right-of-way (Northstar Drive). Lands north of Northstar and west of JMAC2 are already developed or are stormwater drainage areas.

Block 2: Exceeds Max block length. Lands to the east are already developed

☐ Minimum Lot Width/Area

Reason for Request:

☐ Other (Specify)

Reason for Request:

☐ Other (Specify)

Reason for Request:

☐ Other (Specify)

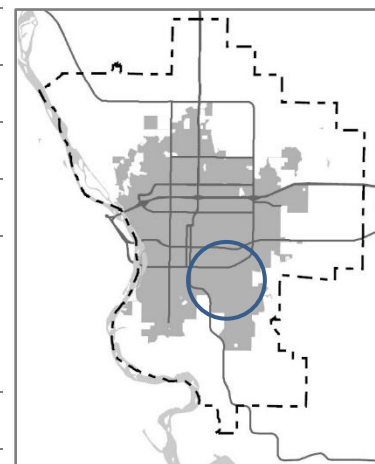
Reason for Request:

Application for: **Preliminary Plat**
Zoning Map Amendment

Project ID: **PPLT2025-013**
ZC2025-023

Project Summary

<i>Title:</i>	Sleepy Willow Addition
<i>Status:</i>	Planning and Zoning Commission – Consideration
<i>Property Owner(s):</i>	Kaitlyn Myran
<i>Project Contact:</i>	Landon Niemiller, AICP, Swenson Hagen & Co
<i>Project Location:</i>	In south-central Bismarck, east of South 12th Street and north of East Bismarck Expressway, along the west side of Boehm Drive (Part of Auditor's Lot 3, Section 3, T138N-R80W/Lincoln Township)
<i>Project Size:</i>	18,059 square feet
<i>Applicant Request:</i>	Plat and zone property for development of one single-family dwelling
<i>Staff Recommendation:</i>	Tentatively approve / call for public hearing



Site Information

<i>Existing Conditions</i>		<i>Proposed Conditions</i>	
<i>Lots/Blocks:</i>	1 unplatted parcel	<i>Lots/Blocks:</i>	1 lot in 1 block
<i>Land Use:</i>	Undeveloped	<i>Land Use:</i>	Single-family residential
<i>Future Land Use:</i>	Urban Neighborhood (UN)	<i>Future Land Use:</i>	No change
<i>Zoning:</i>	PUD – Planned Unit Development	<i>Zoning:</i>	R10 – Residential
<i>Uses Allowed:</i>	PUD – Uses specified in PUD	<i>Uses Allowed:</i>	R10 – Single and two-family residential
<i>Max Density:</i>	PUD – Density specified in PUD	<i>Max Density:</i>	R10 – 10 units / acre

Area Information

Property History

<i>Zoning Jurisdiction:</i>	Bismarck City Limits	<i>Zoned:</i>	08/2018
<i>Township:</i>	N/A (City of Bismarck)	<i>Platted:</i>	N/A
<i>Neighborhood:</i>	Kirkwood	<i>Annexed:</i>	Pre-1980

(continued)

Project Narrative

Kaitlyn Myran is requesting approval of a zoning map amendment from the PUD – Planned Unit Development zoning district to the R10 – Residential zoning district and major subdivision preliminary plat titled Sleepy Willow Addition.

The applicant intends to construct a single-family dwelling. Although a single-family dwelling is listed as an allowable use in the PUD, the PUD is constrained to the approved site plan that was submitted with the initial request.

Background Information

Steep slopes have been identified as a concern with this property. A preliminary plat was submitted by a previous applicant and tentatively approved by the Planning and Zoning Commission on August 28, 2019, with the condition that a geotechnical study is conducted to determine stability of the soils and any

necessary measures to protect from soil subsidence prior to a public hearing being scheduled for the final plat.

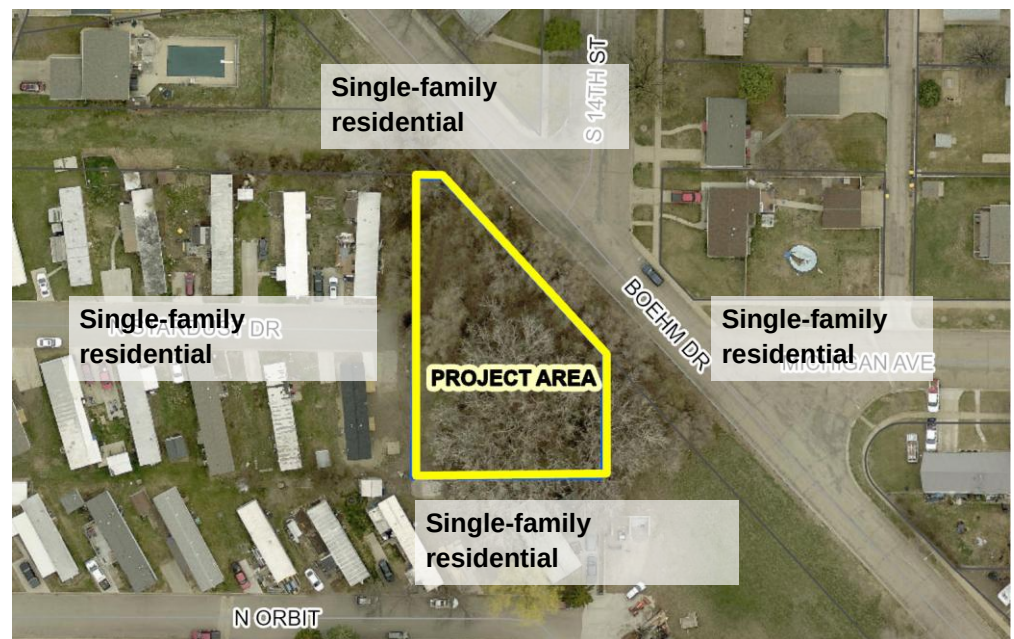
The required geotechnical study was not completed. In January 2021, the plat was deemed abandoned as a final plat was not submitted within the required 12-month submittal deadline between tentative approval of the preliminary plat and submittal of the final plat, and the project was withdrawn by staff.

Staff continue to recommend conducting this study because several factors are present: the steepness of the slope (an average slope of around 17%); the proximity of residential dwelling units directly below the toe of the slope; the proposal to add weight directly onto the slope with construction of a new structure; and removal of existing trees on the slope.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:

A Zoning and Plan Reference Map is attached to this staff report, including current zoning, the Future Land Use Plan, Major Street Plan, and Active Mobility Plan.



The property has been identified as Urban Neighborhood (UN) in the Future Land Use Plan. The UN areas are a place for quiet enjoyment of

home life. Goals and objectives of this plan as they relate to this request are referenced in review standards below.

(continued)

Adjacent uses include a mix of single and two-family dwellings to the north, east across Boehm Drive, and the Stardust Terrace manufactured home park to the south and west.

Public Engagement

Public engagement will commence if the Planning and Zoning Commission calls for a public hearing on this request.

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Open Development Projects Dashboard and Community Development Activities map.

All written comments received by staff prior to the public hearing will be distributed to the Planning and Zoning Commission and summarized by staff during the oral presentation.

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

Zoning Map Amendment

The Future Land Use Plan is adhered to with the proposed zoning map amendment ([Future Land Use Plan](#))

Yes. The proposed zoning map amendment is within the area designated as Urban Neighborhood (UN) in the Future Land Use Plan, as described in the Project Context section above. The proposed zoning district would generally conform to the character of this district.

The proposed amendment is compatible with adjacent land uses and zoning ([Goal S10-a](#), [S5-a](#))

Yes. Adjacent uses are described in the project context section above. The proposed zoning

district would allow the construction of a single- or two-family dwelling. Development that may be anticipated from the proposed zoning would have no negative impact on the surrounding properties.

A change in conditions or by an error in the zoning map has occurred since the previous zoning classification was established ([Goal S9-e](#))

Yes. The current zoning district of PUD – Planned Unit Development was established in 2018. Conditions have changed since this time. In particular, the property is under new ownership and the owner intends to construct a single-family dwelling.

Undue restriction of housing options or access to neighborhood amenities would not result from the proposed zoning map amendment ([Goal S1-a](#), [Goal T1-c](#))

Yes. The proposed zoning map amendment would not adversely impact housing opportunities in any way.

The goals and objectives of Together 2045 Bismarck's Comprehensive Plan would be advanced by the proposed zoning ordinance map amendment ([Comprehensive Plan](#))

Yes. The following objectives of the plan would be advanced through the proposed amendment.

G1: Encourage infill and redevelopment of land already connected to municipal services.

I6(c): Limit development and retain natural vegetation on steep slopes susceptible to landscapes and subsidence, with use of geotechnical studies, as necessary, to determine level of risk.

The general intent and purpose of the zoning ordinance would be adhered to with the proposed zoning map amendment (Section 14-02-01; [NDCC 40-27-03](#))

Yes. The proposed zoning map amendment would support the purpose of the zoning

(continued)

ordinance, as stated in the City Code of Ordinances and North Dakota Century Code.

Proper administrative procedures related to the request are being followed (Section 14-07-02, [NDCC Chapter 40-47](#))

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. The applicant has submitted a complete application for a zoning map amendment, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission.

The public health, safety and general welfare will not be adversely impacted by the proposed zoning map amendment ([Goal S10-a](#))

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed zoning map amendment would not adversely impact the public health, safety, and general welfare.

Major Subdivision Preliminary Plat

The Major Street Plan is adhered to with the proposed subdivision ([Major Street Plan](#))

Yes. There are no corridors identified in the Major Street Plan within or adjacent to the proposed subdivision. A plan reference map is attached to this staff report.

The Active Mobility Plan is adhered to with the proposed subdivision ([Active Mobility Plan](#))

Yes. There are no corridors identified in the Active Mobility Plan within or adjacent to the proposed subdivision. A plan reference map is attached to this staff report.

A neighborhood park will be available within walking distance for all urban residents ([Goal I1-a](#), Section 14-09-04(2)a(vii))

Yes. Adequate parks and open space already exist to serve anticipated residents of this subdivision. The requirements of the neighborhood parks and open space policy have been waived by the Bismarck Parks and Recreation District.

The Bismarck Parks and Recreation district noted that the proposed plat is within an acceptable distance of 0.3 miles from an existing park (Tatley Eagles Park).

Vehicle trips generated by the proposed subdivision will be adequately supported by the transportation system ([Goal C3-c](#))

Yes. The proposed subdivision would likely not have a substantial effect on circulation and safety of public roadways in the vicinity, and therefore no traffic impact study is required.

Street connectivity is provided for efficient travel and secondary access for emergency services ([Goal C4](#), Section 14-09-05)

Yes. Subdivision design requirements, such as maximum block length, intended to promote street connectivity has been met, and there are no cul-de-sacs or dead-end streets in the proposed subdivision. The City's Secondary Roadway Access Policy has been met allowing alternative routes into and out of the subdivision.

Roadway access is managed to reduce potential points of conflict and improve safety ([Goal C3-b](#))

Yes. Direct access to major public roadways is appropriately limited and spacing of all intersections is adequate to meet the City's access management standards and professional engineering judgement. Non-access lines will be dedicated with the proposed plat to communicate and enforce this access control.

Stormwater runoff impacted by this subdivision is adequately managed to protect public and private investments and the natural environment ([Goal I5](#), Section 14.1-04-03);

(continued)

Yes. There is a plan to manage any stormwater runoff generated by this subdivision. A scoping sheet for a post-construction stormwater management permit (PCSMP) has been approved by the City Engineer, and the PCSMP will be approved prior to submittal of a final plat.

Dimensional standards of the zoning ordinance are met with the proposed subdivision (Title 14)

Yes. All lots meet area and width requirements of the zoning district within which they are located, and there is sufficient space within each lot for anticipated buildings to meet density, setback, and lot coverage requirements. All rights-of-way and dedicated easements conform to design standards of the subdivision ordinance.

Natural hazards and impact to environmentally sensitive land is minimized through the location and design of the proposed subdivision ([Goal I6-a](#))

Yes, with restrictions on development. A portion of the proposed subdivision includes steep slopes that may be susceptible to instability and subsidence. In order to determine stability and identify any slope protection easements limit construction and disturbance within these sensitive areas geotechnical study to determine stability of the soils and any necessary measures to protect from soil subsidence is required prior to a public hearing being scheduled for the final plat.

Water supply systems will seamlessly transition from a rural to an urban system through cooperation with the South-Central Regional Water District ([Goal G3-f](#), Section 14-09-04(2)d)

Yes. The proposed subdivision will be served with municipal water upon development and no future transition will be necessary.

The City's investment in infrastructure associated with the proposed subdivision is expected to receive a proportional long-term return to residents through future revenues or other public goods associated with this subdivision ([Goal G3-a](#))

Yes. The proposed subdivision involves infill and redevelopment of an area already served by municipal infrastructure. The additional up-front and ongoing costs to the City are expected to be minimal, relative to the benefits provided by the

Technical specifications required of the preliminary plat have been met (Section 14-09-07)

Yes. The proposed preliminary plat contains the required information to ensure an accurate and timely review by staff, the Planning and Zoning Commission, and the general public.

Proper administrative procedures related to the request are being followed (Section 14-09-04)

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. Staff held a meeting with the applicant to discuss the request prior to submittal of a formal application. A complete application for the preliminary plat was submitted to the Planning Department, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission.

The public health, safety and general welfare will not be adversely impacted by the proposed subdivision ([Goal S10-a](#))

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed subdivision would not adversely impact the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends calling for a public hearing on the proposed zoning map amendment from the PUD – Planned Unit Development zoning district to the R10 – Residential zoning district and tentative approval of the major subdivision preliminary plat titled

(continued)

Sleepy Willow Addition, with the following condition:

1. A geotechnical study is conducted to determine stability of the soils and any necessary measures to protect from soil subsidence prior to a public hearing being scheduled for the final plat.

Attachments

1. Draft Zoning Ordinance
2. Zoning and Plan Reference Map
3. Zoning Proposed map
4. Preliminary Plat
5. Neighborhood Park Waiver

Staff report prepared by: Jenny Wollmuth, AICP, CFM, Senior Planner
701-355-1845 | jwollmuth@bismarcknd.gov

CITY OF BISMARCK

ORDINANCE NO. XXXX

First Reading
Second Reading
Final Passage and Adoption
Publication Date

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-03-02 OF THE CITY OF BISMARCK CODE OF ORDINANCES (1986 Rev.), AS AMENDED, RELATING TO THE BOUNDARIES OF ZONING DISTRICTS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 14-03-02 of the Code of Ordinances of the City of Bismarck, North Dakota is hereby amended to read as follows:

The following described property shall be excluded from the PUD – Planned Unit Development zoning district and included in the R10 – Residential zoning district:

Lot 1, Block 1, Sleepy Willow Addition

Section 2. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Taking Effect. This ordinance shall take effect upon final passage, adoption and publication.

Zoning Districts

A	Agriculture
RR	Rural
R5	Residential
RMH	Manufactured Home Residential
R10	Residential
RM	Residential Multifamily
RT	Residential (Offices)
HM	Health and Medical
CA	Commercial
CG	Commercial
MA	Industrial
MB	Industrial
PUD	Planned Unit Development
DC	Downtown Core
DF	Downtown Fringe

Future Land Use Plan

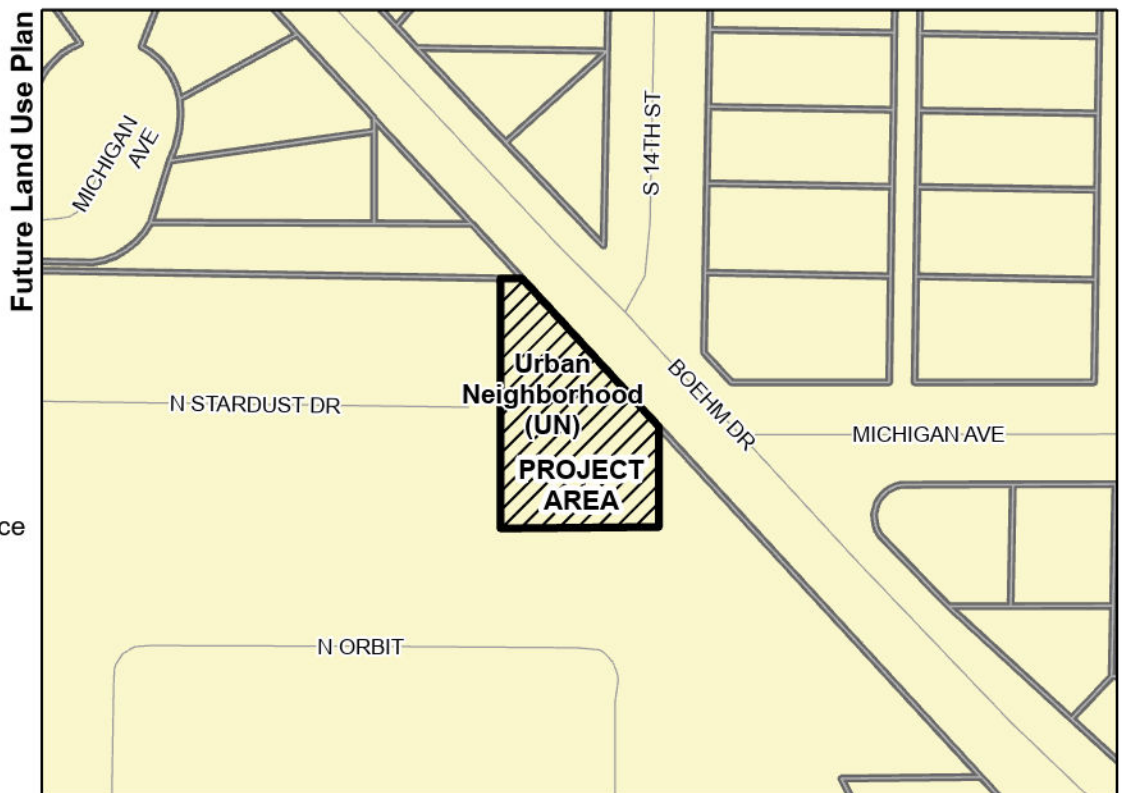
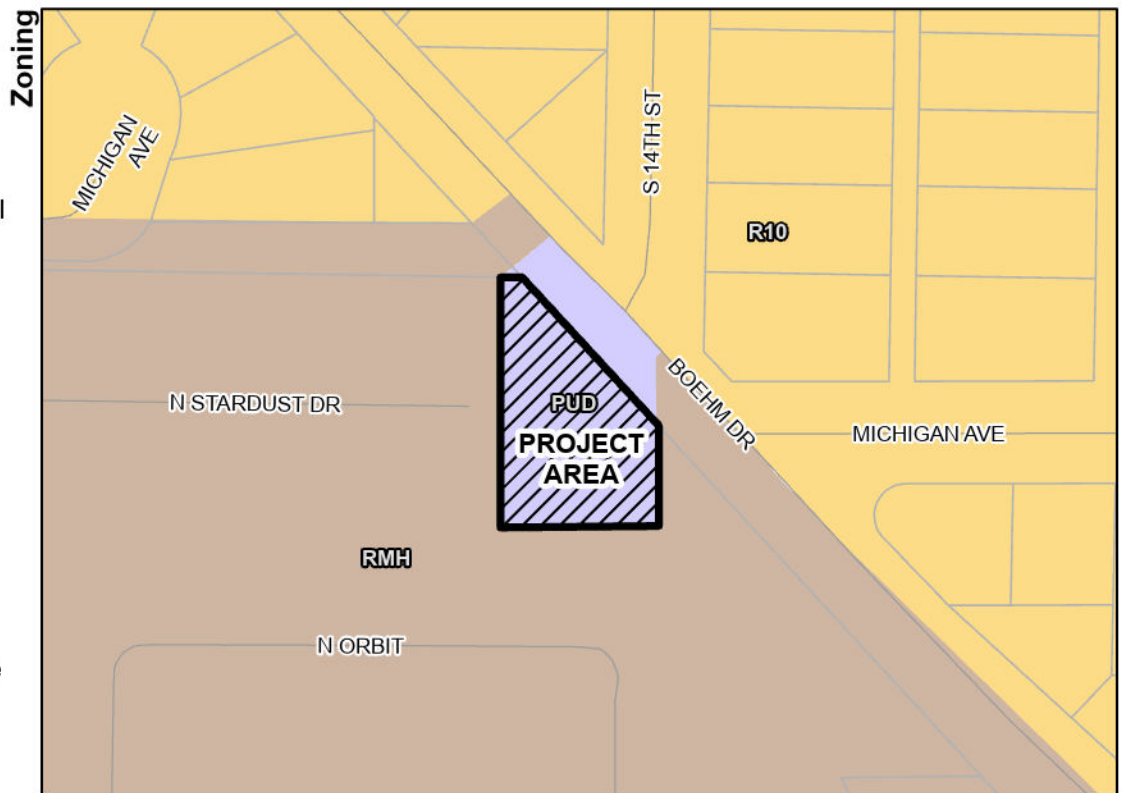
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URA/	Urban Reserve
URB	Mid/Long-Term

Active Mobility Plan

— Future Shared Trail

Major Street Plan

- Existing Arterial
- Future Arterial
- Existing Collector
- Future Collector
- Existing Interstate
- Future Interstate
- City Limits



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0 110 220 440 Feet



City of Bismarck
Planning Department
February 18, 2026

Proposed New Zoning Map

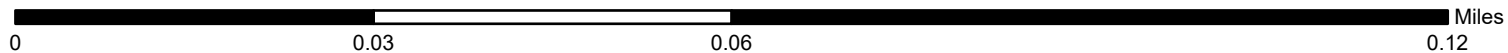
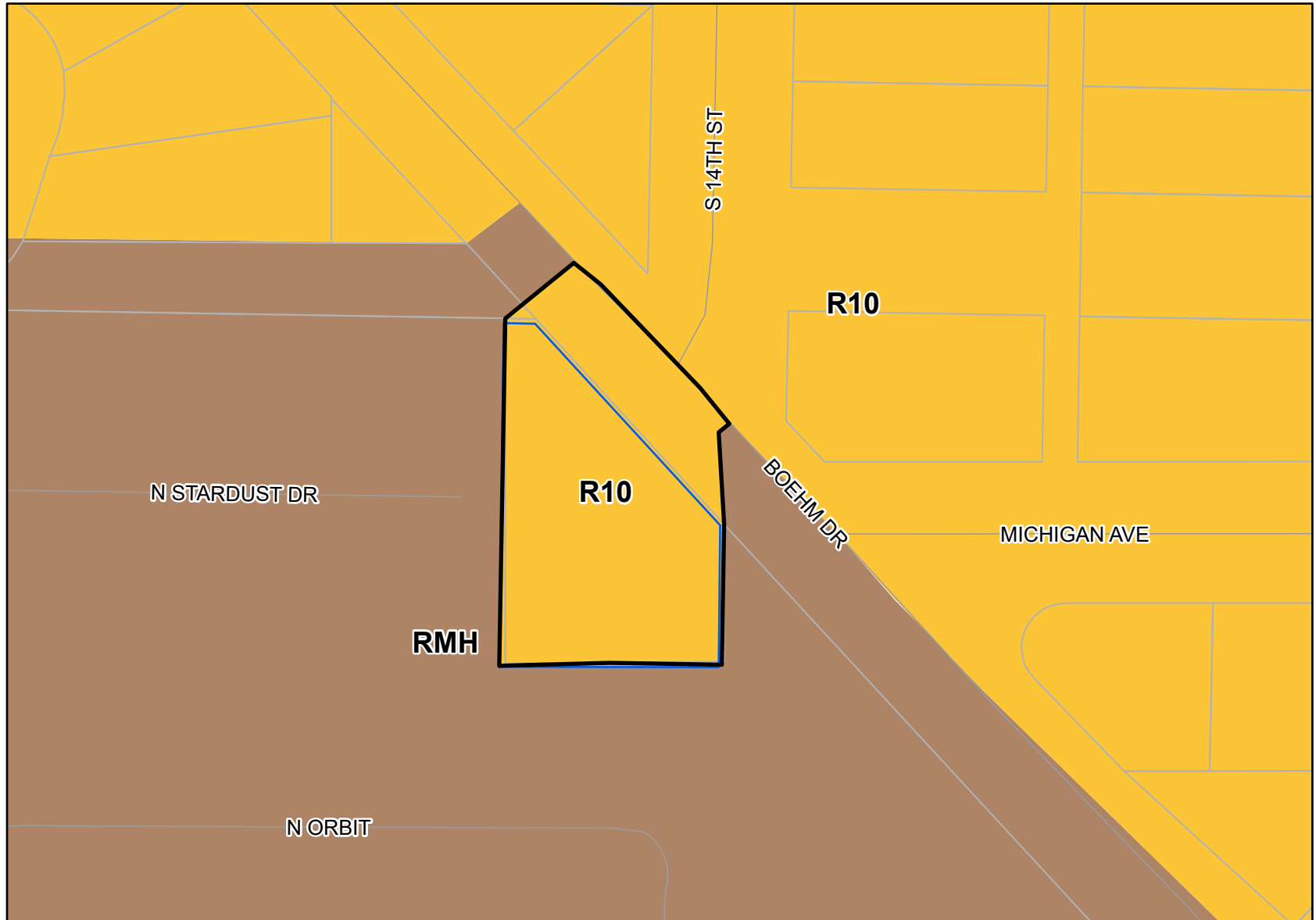
 Project Area
(zoning within
is proposed)

 City Limits

Zoning Districts

A	Agriculture
RR	Rural
R5	Residential
RMH	Manufactured Home Residential
R10	Residential
RM	Residential Multifamily
RT	Residential (Offices)
HM	Health and Medical
CA	Commercial
CG	Commercial
MA	Industrial
MB	Industrial
PUD	Planned Unit Development
DC	Downtown Core
DF	Downtown Fringe

*A "C-" prior to the district
indicates that special
conditions would apply
to the zoning district*



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City of Bismarck
Planning Department
February 19, 2026

SLEEPY WILLOW ADDITION

PART OF AUDITORS LOT 3 OF THE SW 1/4 OF SECTION 3,
TOWNSHIP 138 NORTH, RANGE 80 WEST

BISMARCK, NORTH DAKOTA



LOCATION MAP

0.5 ACRES, 18,059 SF
EXISTING ZONING: PUD
PROPOSED ZONING: R10

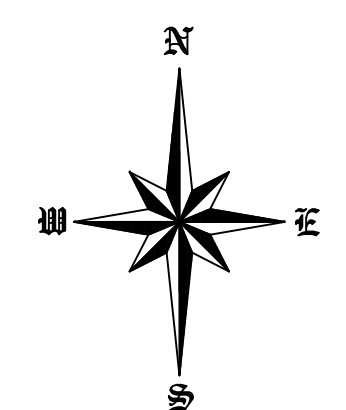
1 LOT, 1 BLOCK

OWNER: KAITLYN MYRAN
814 N. 16TH ST
BISMARCK, ND 58501

SURVEYOR:
SWENSON HAGEN & CO
3002 AIRWAY AVE
BISMARCK, ND 58504

CENTERLINE LENGTHS:
BOEHM DR---96 LF (LOCAL) 3,750 SF (APPROX.)

MAXIMUM ALLOWABLE HOUSING UNITS:
R10 --2 UNITS



0 20' 40'

SCALE - 1" = 20'
VERTICAL DATUM: NAVD 88
FEBRUARY 4, 2026



SWENSON, HAGEN & COMPANY P.C.

3002 Airway Avenue
Bismarck, North Dakota 58504
sheng@swensonhagen.com
Phone (701) 223-2600
Fax (701) 223-2606

Surveying
Hydrology
Land Planning
Civil Engineering
Landscape & Site Design
Construction Management

January 12, 2026

City of Bismarck Community Development
Daniel Nairn, Planning Director
221 N. 5th Street
Bismarck, ND 58501

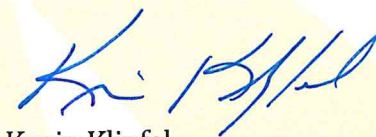
Re: Waiver Letter for Sleepy Willow Addition (PPLT2025-013)

Dear Daniel:

Sleepy Willow Addition is an infill subdivision currently in the preliminary plat process and any major plat that is zoned residential would be included in the Neighborhood Park and Open Space policy. We appreciate your continued partnership with the policy and your notice of this project moving forward.

Since the plat is just one lot and is only 0.3 miles away from Tatley Eagles Park, Bismarck Parks and Recreation District is providing a waiver of the Neighborhood Park and Open Space Policy for the Sleepy Willow plat.

Please let me know if you have any questions.



Kevin Klipfel
Executive Director



STAFF REPORT

Agenda Item # 3D

February 25, 2026

Application for: **Zoning Ordinance Text Amendment**

Project ID: **ZOTA2026-001**

Project Summary

<i>Title:</i>	Revisions to FP – Floodplain District
<i>Status:</i>	Planning and Zoning Commission – Consideration
<i>Project Contact:</i>	Jenny Wollmuth, AICP, CFM, Senior Planner
<i>Request:</i>	Amend Section 14-04-19 to update references to North Dakota Century Code (NDCC) chapters relating to Senate Bill 2027
<i>Staff Recommendation:</i>	Call for public hearing

Project Narrative

The Planning Department requests approval of a zoning ordinance text amendment to Section 14-04-19 to update references to North Dakota Century Code (NDCC) chapters relating to Senate Bill 2027.

Background

SB2027 clarified and streamlined local floodplain management authority by separating it from zoning, allowing communities to manage flood risks without adopting zoning ordinances. It created new sections in NDCC Chapters 40-05, 11-11, and 58-06.

While beneficial for smaller North Dakota communities, Bismarck already regulates floodplain management through its zoning ordinance, which applies within the city and its extraterritorial area. This amendment will not change how Bismarck manages floodplains.

However, to comply with state and federal law, the North Dakota Department of Water Resources (DWR) has requested that communities participating in the National Flood Insurance Program (NFIP) update their ordinances to reference NDCC Chapters 40-05, 11-11, and 58-

06 in their specific authorization sections. This particular section was added to the section 14-04-19 in 2024 at the request of NFIP representatives in conjunction with adoption of the 2024 FIRM Map. A model amendment has been provided to communities and is included for review.

SB2027 also requires that all ND communities annually certify to the DWR that they are continuing to undertake floodplain management. This certification will be presented to the City Commission at their meeting on February 24, 2026, and forwarded to the DWR after the meeting.

Public Engagement

Public engagement will commence if the Planning and Zoning Commission calls for a public hearing on this request.

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Open Development Projects Dashboard.

All written comments received by staff prior to the public hearing will be distributed to the Planning and Zoning Commission and summarized by staff during the oral presentation.

(continued)

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

The goals and objectives of Together 2045 Bismarck's Comprehensive Plan would be advanced by the proposed zoning ordinance text amendment ([Comprehensive Plan](#))

Yes. The following objectives of the plan would be advanced through the proposed amendment.

I6(b): Participate activity in the National Flood Insurance Program and Community Rating System to manage designated floodplains.

T9(d): Integrate development review processes conducted by various city departments and external agencies into a clear and seamless process.

The proposed text amendment is justified by a change in conditions since the zoning ordinance was originally adopted or clarifies a provision that is confusing, in error or otherwise inconsistent with the general intent and purpose of the zoning ordinance ([Goal S9-e](#), [G10-g](#))

Yes. This section of the zoning ordinance was previously adopted in 2024. In particular, the authorization section referencing NDCC chapters was added at the request of representatives of the NFIP. The purpose of the proposed zoning ordinance text amendment is to clarify this provision referencing modified chapters as noted in SB2027 to ensure that the original intent is met.

The general intent and purpose of the zoning ordinance would be adhered to with the proposed amendment (Section 14-02-01; [NDCC 40-27-03](#))

Yes. The proposed zoning text amendment would support the purpose of the zoning ordinance, as stated in the City Code of Ordinances and North Dakota Century Code.

The proposed text amendment will preserve the overall integrity and coherence of the zoning ordinance ([Goal G10](#))

Yes. All sections of the zoning ordinance containing any references to or potential conflicts with the proposed zoning ordinance text amendment have been reviewed and corrected, as needed.

Proper administrative procedures related to the request are being followed (Section 14-07-02, [NDCC Chapter 40-47](#))

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. The zoning ordinance text amendment has been initiated by staff from the Planning Department, on behalf of the Planning and Zoning Commission. A preliminary draft is attached to this report for consideration by the Planning and Zoning Commission.

The public health, safety and general welfare will not be adversely impacted by the proposed zoning text amendment ([Goal S10-a](#))

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed zoning text amendment would not adversely impact the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends calling for a public hearing on a zoning ordinance text amendment to Section 14-04-19 to update references to North Dakota Century Code (NDCC) chapters relating to Senate Bill 2027.

Attachments

1. Draft Zoning Ordinance
2. Model Amendment

(continued)

Staff report prepared by: Jenny Wollmuth, AICP, CFM, Senior Planner
701-355-1854 | jwollmuth@bismarcknd.gov

CITY OF BISMARCK

ORDINANCE NO. XXXX

First Reading _____
Second Reading _____
Final Passage and Adoption _____
Publication Date _____

AN ORDINANCE TO AMEND SECTION 14-04-19 OF THE CODE OF ORDINANCES OF THE CITY OF BISMARCK, NORTH DAKOTA, AS AMENDED, RELATING TO STATUTORY AUTHORIZATION THE IN FLOODPLAIN DISTRICT.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA:

Section 1. Amend. Section 14-04-19 of the Code of Ordinances of the City of Bismarck, North Dakota, relating to FP – Floodplain District, is hereby enacted to read as follows:

14-04-19. FP Floodplain District. In any FP floodplain district, the following regulations shall apply:

1. Statutory Authorization. The Legislature of the State of North Dakota has in North Dakota Century Code, Chapters 40-4705, 11-3311 and 58-036, delegated responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

* * * * *

(Ord. 4137, 5-26-87; Ord. 4737, 11-14-95; Ord. 4948, 10-13-98; Ord. 5037, 03-14-00; Ord. 5259, 05-27-2003; Ord. 5423, 05-24-05; Ord. 5728, 05-26-09; Ord. 5779, 07-27-10 and 08-10-10; Ord. 5811, 03-22-11; Ord. 6028, 01-28-14; Ord. 6068, 06-24-14; Ord. 6173, 10-27-15; Ord. 6477, 08-02-21; Ord. 6577, 06-11-24, Ord XXXX, [DATE])

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. Effective Date. This ordinance shall take effect after final passage, adoption and publication.

DRAFT

MODEL AMENDMENT
FLOODPLAIN MANAGEMENT

SECTION 1.0
STATUTORY AUTHORIZATION

The _____ of _____,
(governing body) (local unit)
North Dakota does hereby amend its floodplain management ordinance as follows:

1.1 STATUTORY AUTHORIZATION

The Legislature of the State of North Dakota has in North Dakota Century Code, Chapters 40-05, 11-11 and 58-06, delegated responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

PASSED THIS _____ of _____, _____.

APPROVED:

CHIEF EXECUTIVE OFFICER

ATTEST:
(seal)

(Auditor or Clerk)

STAFF REPORT

Agenda Item # 4A
February 25, 2026

Application for: **Final Plat**

Project ID: **FPLT2026-001**

Zoning Map Amendment

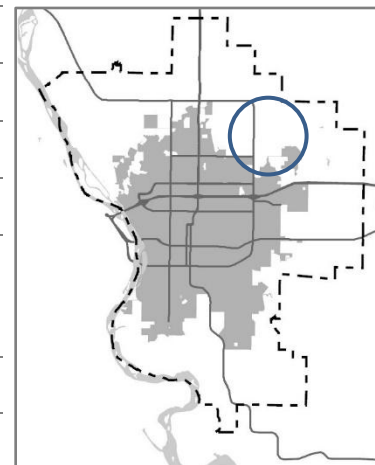
ZC2025-021

**Major Street Plan
Amendment**

MSPA2025-001

Project Summary

<i>Title:</i>	JFP Foxhaven Subdivision
<i>Status:</i>	Planning and Zoning Commission - Public Hearing
<i>Property Owner(s):</i>	Loren Fischer
<i>Project Contact:</i>	Landon Niemiller, AICP, Swenson Hagen & Co
<i>Project Location:</i>	Northeast of Bismarck, between 73rd Avenue NE and Arcata Drive, along the west side of 41st Street NE
<i>Project Size:</i>	10.0 acres
<i>Applicant Request:</i>	Plat and rezone the land to facilitate rural residential-style development
<i>Staff Recommendation:</i>	Approve



Site Information

<i>Existing Conditions</i>		<i>Proposed Conditions</i>	
<i>Lots/Blocks:</i>	1 tract of land	<i>Lots/Blocks:</i>	5 lots in 2 blocks
<i>Land Use:</i>	Undeveloped	<i>Land Use:</i>	Rural residential
<i>Future Land Use:</i>	Rural Residential (RR)	<i>Future Land Use:</i>	No change
<i>Zoning:</i>	A – Agricultural	<i>Zoning:</i>	RR – Residential
<i>Uses Allowed:</i>	A – Agriculture	<i>Uses Allowed:</i>	RR – Large lot single-family residential and limited agriculture
<i>Max Density:</i>	A – 1 unit / 40 acres	<i>Max Density:</i>	RR – 1 unit per 65,000 square feet

Area Information

Property History

<i>Zoning Jurisdiction:</i>	Extraterritorial Area (ETA)	<i>Zoned:</i>	Pre-1980
<i>Township:</i>	Hay Creek (organized)	<i>Platted:</i>	N/A
<i>Neighborhood:</i>	Foxhaven	<i>Annexed:</i>	N/A

(continued)

Project Narrative

Loren Fischer is requesting approval of a major subdivision final plat for JFP Foxhaven Subdivision as well as an accompanying zoning map amendment from the A – Agricultural zoning district to the RR – Residential zoning district and major street plan amendment (MSPA) for a segment of a future alignment of 76th Avenue NE.

The plat would consist of 5 lots in 2 blocks. The MSPA would shift a proposed future alignment of an extension of 76th Avenue NE, a collector roadway, slightly to the north to rearrange the developable land for this proposed subdivision – as well as the potential developable land to the east.

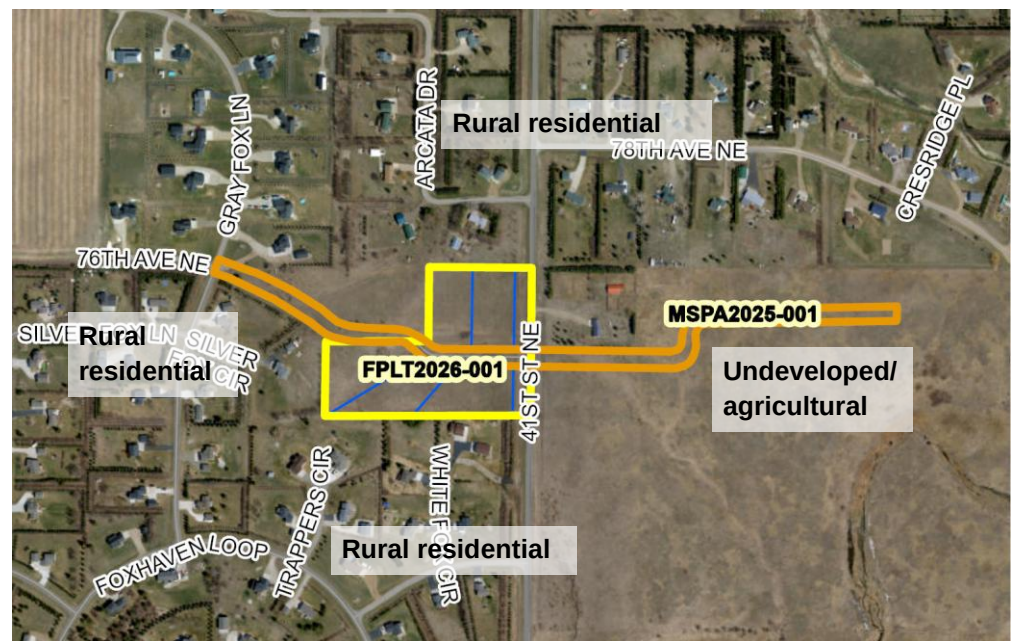
The applicant has spoken with the landowner directly to the east of this project area regarding the MSPA portion of this project. Planning staff have also spoken with the adjacent landowner and provided additional information, in addition to other potentially affected property owners as part of the City's standard notification procedures outlined later in this report. If approved, the MSPA does not guarantee that a roadway would be built in this area or how it would be funded.

As of this reports publication, City staff have not received a formal comment from the landowner to the east.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:

A Zoning and Plan Reference Map is attached to this staff report, including current zoning, the Future Land Use Plan, Major Street Plan, and Active Mobility Plan.



The property has been identified as Rural Residential (RR) in the Future Land Use Plan. The RR areas are places for country living with convenient proximity to city life. Goals and objectives of this plan as they relate to these requests are referenced in review standards below.

The project area is primarily surrounded by rural residential land uses to the north, west, and south. To the east, across 41st Street NE, is land that is in an undeveloped/agricultural state.

(continued)

Public Engagement

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on February 13 and 20, and 90 postcards were mailed to the owners of nearby properties on February 13, 2026.

A physical sign providing information on the public hearing was placed in a publicly accessible spot at the project location on February 9, 2026.

Hay Creek Township was notified of this request on January 12, 2026. The township has not provided a response as of this report's publishing.

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Open Development Projects Dashboard and Community Development Activities map.

All written comments received by staff prior to the public hearing will be distributed to the Planning and Zoning Commission and summarized by staff during the oral presentation.

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

Major Subdivision Final Plat

The final plat generally conforms to the preliminary plat for the proposed subdivision that was tentatively approved by the Planning and Zoning Commission

Yes. The proposed final plat is substantially similar to the preliminary plat.

Any and all conditions placed on approval of the preliminary plat by the Planning and Zoning Commission have been satisfied or will remain in place for future completion

Yes. No conditions were placed on the approval of the preliminary plat.

Sufficient easements and rights-of-way are included on the proposed subdivision to provide for orderly development and provision of municipal services beyond the boundaries of the subdivision ([Goal G3-d](#))

Yes. The proposed subdivision is not within the city limits or the urban service area boundary of the City of Bismarck. Therefore, planning for future municipal services is not necessary.

Technical specifications required of the final plat have been met (Section 14-09-07)

Yes. The proposed final plat contains the required information to ensure an accurate and timely review by staff, the Planning and Zoning Commission, and the general public.

The Major Street Plan is adhered to with the proposed subdivision ([Major Street Plan](#))

Yes, with a formal amendment to the Major Street Plan. The applicant requests approval of an amendment to the Major Street Plan in conjunction with the proposed plat. If the amendment is approved as presented above in this staff report, the proposed plat would conform to the amended plan. A proposed future section of 76th Avenue NE, a collector roadway, is located within this plat as is proposed to be shifted north compared to its current future alignment. A plan reference map is attached to this staff report.

An initial proposed alignment for the change has been reviewed by City, County Highway, and MPO staff, and no concerns have been noted.

The Active Mobility Plan is adhered to with the proposed subdivision ([Active Mobility Plan](#))

Yes. There are no corridors identified in the Active Mobility Plan within or adjacent to the proposed subdivision. A plan reference map is attached to this staff report.

(continued)

A neighborhood park will be available within walking distance for all urban residents ([Goal I1-a](#), Section 14-09-04(2)a(vii))

Yes. The provision of neighborhood parks and open space is not needed because the proposed final plat is not an urban subdivision with residential zoning districts.

Vehicle trips generated by the proposed subdivision will be adequately supported by the transportation system ([Goal C3-c](#))

Yes. The proposed subdivision would likely not have a substantial effect on circulation and safety of public roadways in the vicinity, and therefore no traffic impact study is required.

Street connectivity is provided for efficient travel and secondary access for emergency services ([Goal C4](#), Section 14-09-05)

Yes, with the understanding that 76th Avenue NE is proposed to have a temporary cul-de-sac until land further to the west is developed. Other subdivision design requirements, such as maximum block length, intended to promote street connectivity have been met, presuming 76th Avenue NE fully connects to the west in the future.

Roadway access is managed to reduce potential points of conflict and improve safety ([Goal C3-b](#))

Yes. Direct access to major public roadways is appropriately limited and spacing of all intersections is adequate to meet the City's access management standards and professional engineering judgement. Non-access lines will be dedicated with the proposed plat to communicate and enforce this access control.

Stormwater runoff impacted by this subdivision is adequately managed to protect public and private investments and the natural environment ([Goal I5](#), Section 14.1-04-03);

Yes. There is a plan to manage any stormwater runoff generated by this subdivision. A scoping

sheet for a post-construction stormwater management permit (PCSMP) has been submitted and reviewed and conditionally approved by the City Engineer, with concurrence from the County Engineering.

The plat includes stormwater and drainage easements along the southernmost lots, including a area for a detention pond.

Dimensional standards of the zoning ordinance are met with the proposed subdivision (Title 14)

Yes. All lots meet area and width requirements of the zoning district within which they are located, and there is sufficient space within each lot for anticipated buildings to meet density, setback, and lot coverage requirements. All rights-of-way and dedicated easements conform to design standards of the subdivision ordinance.

Natural hazards and impact to environmentally sensitive land is minimized through the location and design of the proposed subdivision ([Goal I6-a](#))

Yes. The proposed subdivision is not located within the Special Flood Hazard Area (SFHA), also known as the 100-year floodplain, an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or an area that is topographically unsuited for development

Water supply systems will seamlessly transition from a rural to an urban system through cooperation with the South-Central Regional Water District ([Goal G3-f](#), Section 14-09-04(2)d)

Yes. The proposed subdivision is within two miles of the city limits and will require an agreement with the South Central Regional Water District prior to recordation of the plat. The City of Bismarck will retain rights to extend municipal water into the proposed subdivision after five years.

(continued)

The City's investment in infrastructure associated with the proposed subdivision is expected to receive a proportional long-term return to residents through future revenues or other public goods associated with this subdivision ([Goal G3-a](#))

Yes. The proposed subdivision is outside of Bismarck city limits and will not be served by municipal services at this time.

Technical specifications required of the final plat have been met (Section 14-09-07)

Yes. The proposed final plat contains the required information to ensure an accurate and timely review by staff, the Planning and Zoning Commission, and the general public.

Proper administrative procedures related to the request are being followed (Section 14-09-04)

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. Upon tentative approval of the preliminary plat, the applicant has submitted a complete application for final plat approval, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission. A public hearing has been scheduled for this request, and all requirements for notice of this hearing have been met, as documented in this report above.

The public health, safety and general welfare will not be adversely impacted by the proposed subdivision ([Goal S10-a](#))

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed subdivision would not adversely impact the public health, safety, and general welfare.

Zoning Map Amendment

The Future Land Use Plan is adhered to with the proposed zoning map amendment ([Future Land Use Plan](#))

Yes. The proposed zoning map amendment is within the area designated as Rural Residential (RR) in the Future Land Use Plan, as described in the Project Context section above. The proposed zoning district would generally conform to the character of this district.

The proposed amendment is compatible with adjacent land uses and zoning ([Goal S10-a](#), [S5-a](#))

Yes. Adjacent uses are described in the project context section above. The proposed zoning district would allow rural residential-style development. Development that may be anticipated from the proposed zoning would have no negative impact on the surrounding properties.

A change in conditions or by an error in the zoning map has occurred since the previous zoning classification was established ([Goal S9-e](#))

This project area has never been zoned beyond the default A – Agricultural zoning district. There are numerous subdivisions within the surrounding area that are currently zoned RR – Rural Residential. The development within this area would very likely be compatible.

Undue restriction of housing options or access to neighborhood amenities would not result from the proposed zoning map amendment ([Goal S1-a](#), [Goal T1-c](#))

Yes. The proposed zoning map amendment would not adversely impact housing opportunities in any way.

The goals and objectives of Together 2045 Bismarck's Comprehensive Plan would be advanced by the proposed zoning ordinance map amendment ([Comprehensive Plan](#))

(continued)

Yes. The following objectives of the plan would be advanced through the proposed amendment.

- S5: Protect the rural character of existing planned rural residential areas in Bismarck's Extraterritorial Area.
- G2(c): Exercise zoning and subdivision authority within the City's Extraterritorial Area and periodically review this boundary with potential adjustments to align with expected growth.
- G5(c): Determine strategies to reduce development costs of large-lot rural residential subdivisions, in cooperation with Burleigh County Highway Department, to facilitate potential urbanization in the future.

The general intent and purpose of the zoning ordinance would be adhered to with the proposed zoning map amendment (Section 14-02-01; [NDCC 40-27-03](#))

Yes. The proposed zoning map amendment would support the purpose of the zoning ordinance, as stated in the City Code of Ordinances and North Dakota Century Code.

Proper administrative procedures related to the request are being followed (Section 14-07-02, [NDCC Chapter 40-47](#))

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. The applicant has submitted a complete application for a zoning map amendment, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission.

A public hearing has been scheduled by the Planning and Zoning Commission for this request, and all requirements for notice of this hearing have been met, as documented in this report above.

The public health, safety and general welfare will not be adversely impacted by the proposed zoning map amendment ([Goal S10-a](#))

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed zoning map amendment would not adversely impact the public health, safety, and general welfare.

Major Street Plan Amendment

The overall continuity and function of the Major Street Plan, and its connections to surrounding areas, is retained or improved after the proposed amendment ([MSP standards](#))

Yes. This proposed amendment would shift an existing future alignment in the plan approximately 210 feet to the north while preserving the overall east-west connection.

Amending the plan only specifies that the proposed alignment has been identified as a potentially useful path for a future roadway if the City and County continues to grow into this area in the future. It does not require any landowner to dedicate land for the road right-of-way unless the landowner(s) wished to develop their land through the platting process in such a way that they believe the proposed road would be useful for them. Furthermore, it does not specify an exact timeline for when any construction would take place, and given current development trends, it is possible that nothing will be constructed for decades. Additionally, it does not specify a funding source.

The spacing and quantity of intersections sufficient to meet access management standards are retained after the proposed amendment ([MSP standards](#))

Yes. The proposed amendment to the Major Street Plan would meet all requirements of the City's access control policy and engineering judgement for safe and efficient spacing of intersections.

(continued)

This project does not increase or reduce the number of intersections in this area. By shifting the alignment further to the north, the spacing between the two nearest intersections of platted roadways stays the same but reversed. In other words, the current longer distance to the nearest intersections becomes shorter, while the current shorter distance becomes longer.

There is a driveway to a private property on 41st Street NE that the proposed intersection would become closer to as well. However, there will be limited traffic generated from the proposed development and no through traffic at this time.

The current plan is not adequately aligned with the existing or proposed street layout or development proposed for the site and the amendment will, to some degree, alleviate this deficiency ([MSP standards](#))

Yes. The proposed development on the western side of the MSPA would be better facilitated this alignment shift. City, County, and MPO staff have seen a potential, preliminary master plan for future development to the east of 41st Street NE which this amendment could also facilitate should it be approved.

The proposed alignment is not adversely affected by steep grades, wetlands, drainages, railroad crossings, transmission lines, or any other constraints to a degree greater than the current plan ([MSP standards](#))

Yes. No unique natural or manmade features will obstruct the proposed alignment of the Major Street Plan.

The proposed amendment does not substantially increase the length of the alignment, affecting construction and maintenance costs, unless offset by commensurate public benefit ([MSP standards](#))

Yes. The length of the existing alignment (measured from Moonstone Lane to the west to 52nd Street NE to the east) is approximately 8,322.1 feet, and the length of the proposed alignment is 8,311.1 feet. The proposed

amendment would keep the length of this segment approximately the same.

The proposed amendment is consistent with the goals and objectives of Together 2045 Bismarck's Comprehensive Plan ([MSP standards](#))

Yes. The overall goals and objectives of the comprehensive plan have been met. In particular, the Goal C4: "Encourage a highly connected network of streets and pathways", and Goal C3: "Construct and support safe and efficient streets and roads", would be met.

The proposed amendment would not adversely affect the public health, safety, and general welfare ([Goal S10-a](#))

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed amendment to the Major Street Plan would not adversely impact the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of the major subdivision final plat of JFP Foxhaven Subdivision as well as of the associated major street plan amendment and zoning map amendment from the A – Agricultural zoning district to the RR – Residential zoning district.

Attachments

1. Draft Zoning Ordinance
2. Zoning and Plan Reference Map
3. Proposed Zoning Map
4. Preliminary Plat
5. Final Plat
6. Draft Major Street Plan Resolution
7. Plan Amendment Map

(continued)

Staff report prepared by: Isak Johnson, AICP, Planner
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CITY OF BISMARCK

ORDINANCE NO. XXXX

First Reading
Second Reading
Final Passage and Adoption
Publication Date

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-03-02 OF THE CITY OF BISMARCK CODE OF ORDINANCES (1986 Rev.), AS AMENDED, RELATING TO THE BOUNDARIES OF ZONING DISTRICTS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 14-03-02 of the Code of Ordinances of the City of Bismarck, North Dakota is hereby amended to read as follows:

The following described property shall be excluded from the A – Agricultural zoning district and included in the RR – Residential zoning district:

Lots 1-2, Block 1, and Lots 1-3, Block 2, JFP Foxhaven Subdivision

Section 2. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Taking Effect. This ordinance shall take effect upon final passage, adoption and publication.



Zoning and Plan Reference Map

JFP FOXHAVEN SUBDIVISION JFP FOXHAVEN SUBDIVISION

FPLT2026-001
MSPA2025-001

Zoning Districts

A	Agriculture
RR	Rural Residential
R5	Residential
RMH	Manufactured Home Residential
R10	Residential
RM	Residential Multifamily
RT	Residential (Offices)
HM	Health and Medical
CA	Commercial
CG	Commercial
MA	Industrial
MB	Industrial
PUD	Planned Unit Development
DC	Downtown Core
DF	Downtown Fringe

Future Land Use Plan

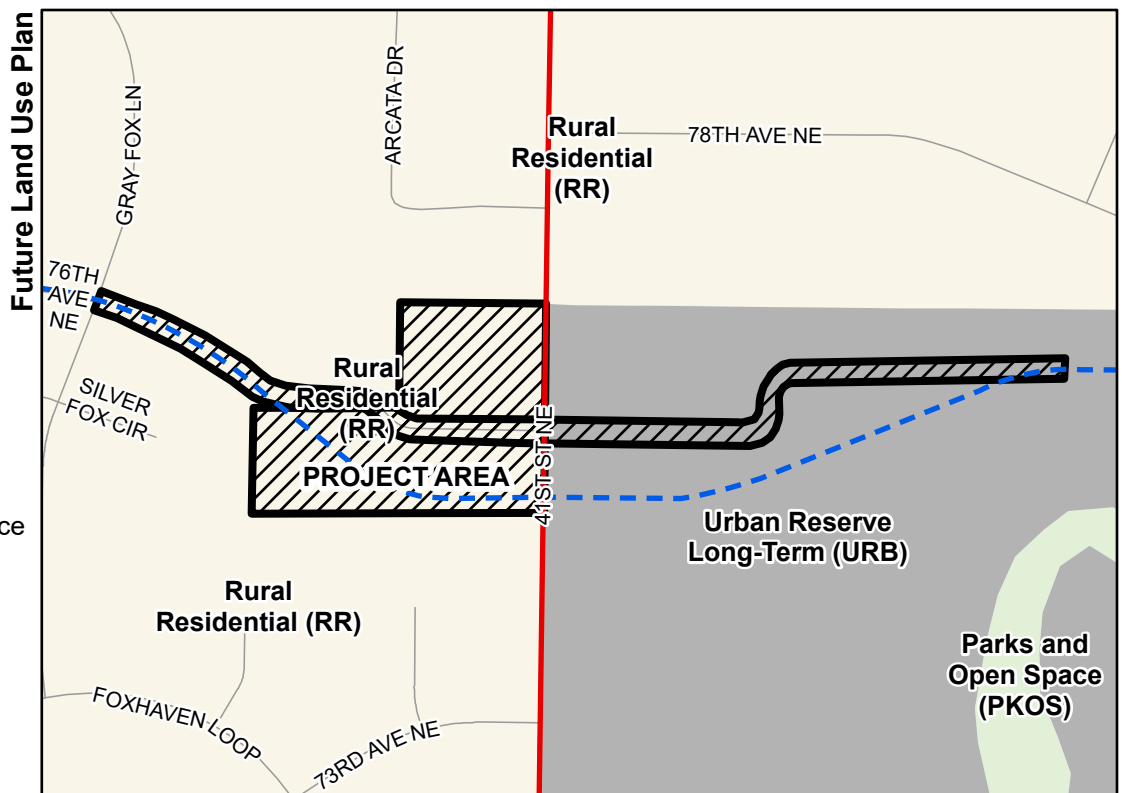
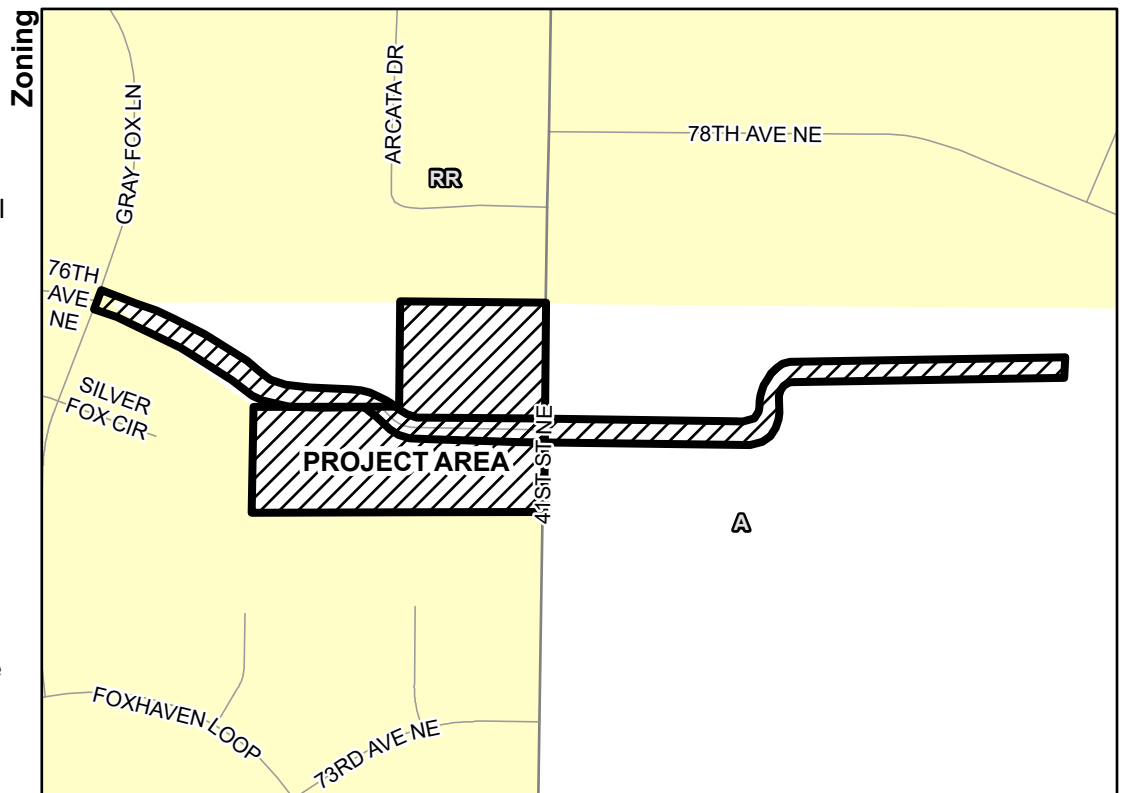
UN	Urban Neighborhood
NMU	Neighborhood Mixed Use
CMU	Community Mixed Use
DMU	Destination Mixed Use
DT	Downtown
IND	Industrial
IF	Industrial Flex
IMU	Industrial Mixed Use
INS	Institutional
RR	Rural Residential
TR	Transitional Rural
PKOS	Parks/Open Space
URA/URB	Urban Reserve Mid/Long-Term

Active Mobility Plan

— Future Shared Trail

Major Street Plan

- Existing Arterial
- - Future Arterial
- Existing Collector
- - Future Collector
- Existing Interstate
- - Future Interstate
- ▬ City Limits



This map is for representational use only and does not represent a survey.
No liability is assumed as to the accuracy of the data delineated hereon.

0 430 860 1,720 Feet



City of Bismarck
Planning Department
February 12, 2026

Proposed New Zoning Map

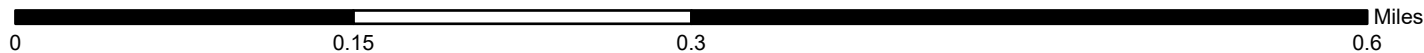
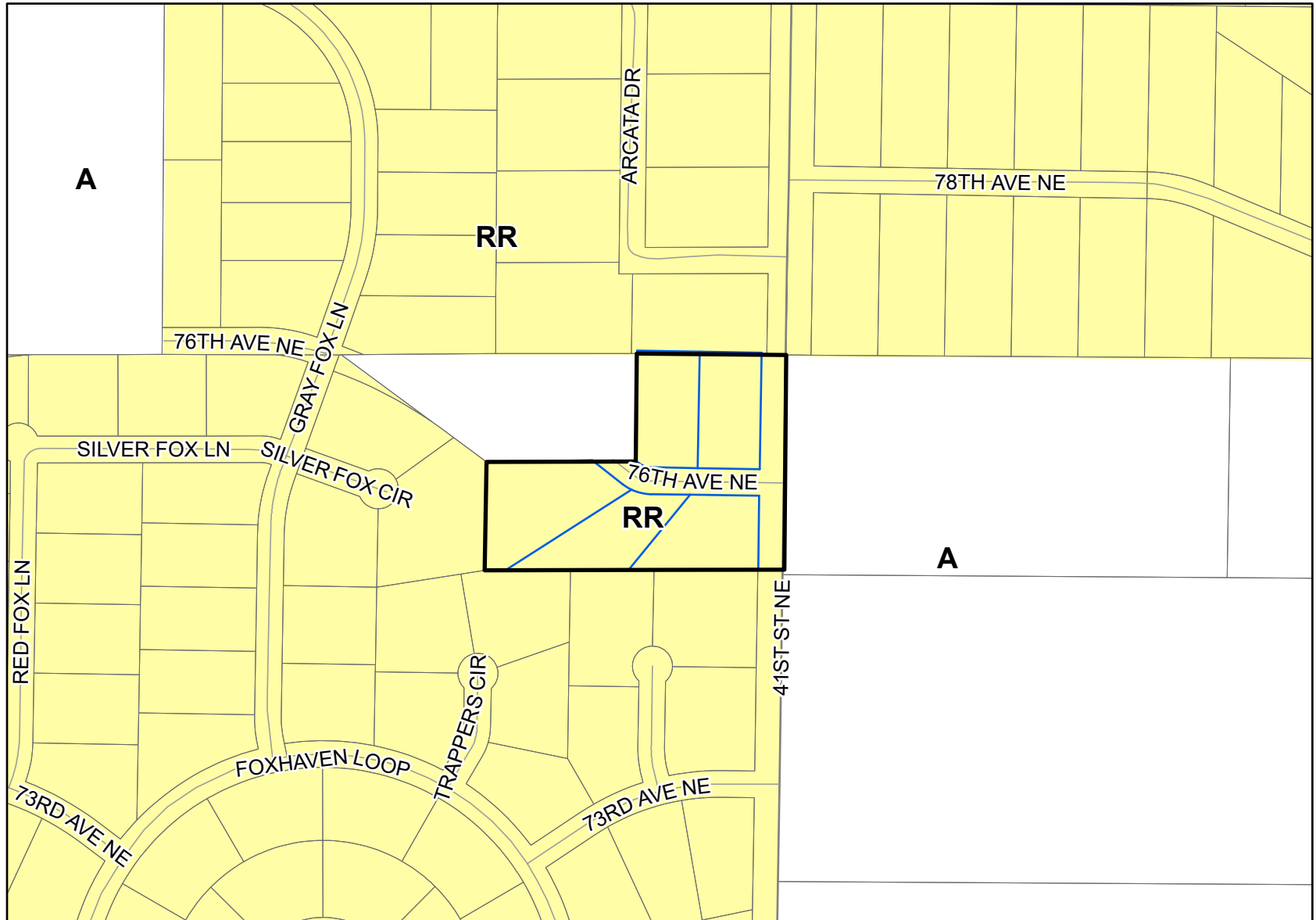
 Project Area
(zoning within
is proposed)

 City Limits

Zoning Districts

A	Agriculture
RR	Rural
R5	Residential
RMH	Manufactured Home Residential
R10	Residential
RM	Residential Multifamily
RT	Residential (Offices)
HM	Health and Medical
CA	Commercial
CG	Commercial
MA	Industrial
MB	Industrial
PUD	Planned Unit Development
DC	Downtown Core
DF	Downtown Fringe

A "C-" prior to the district
indicates that special
conditions would apply
to the zoning district



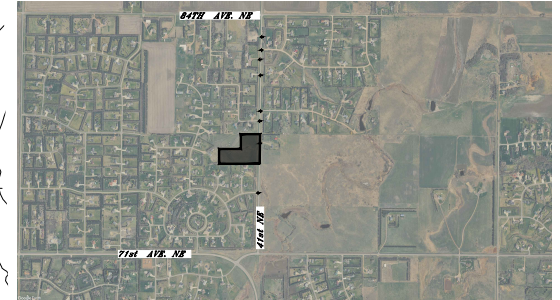
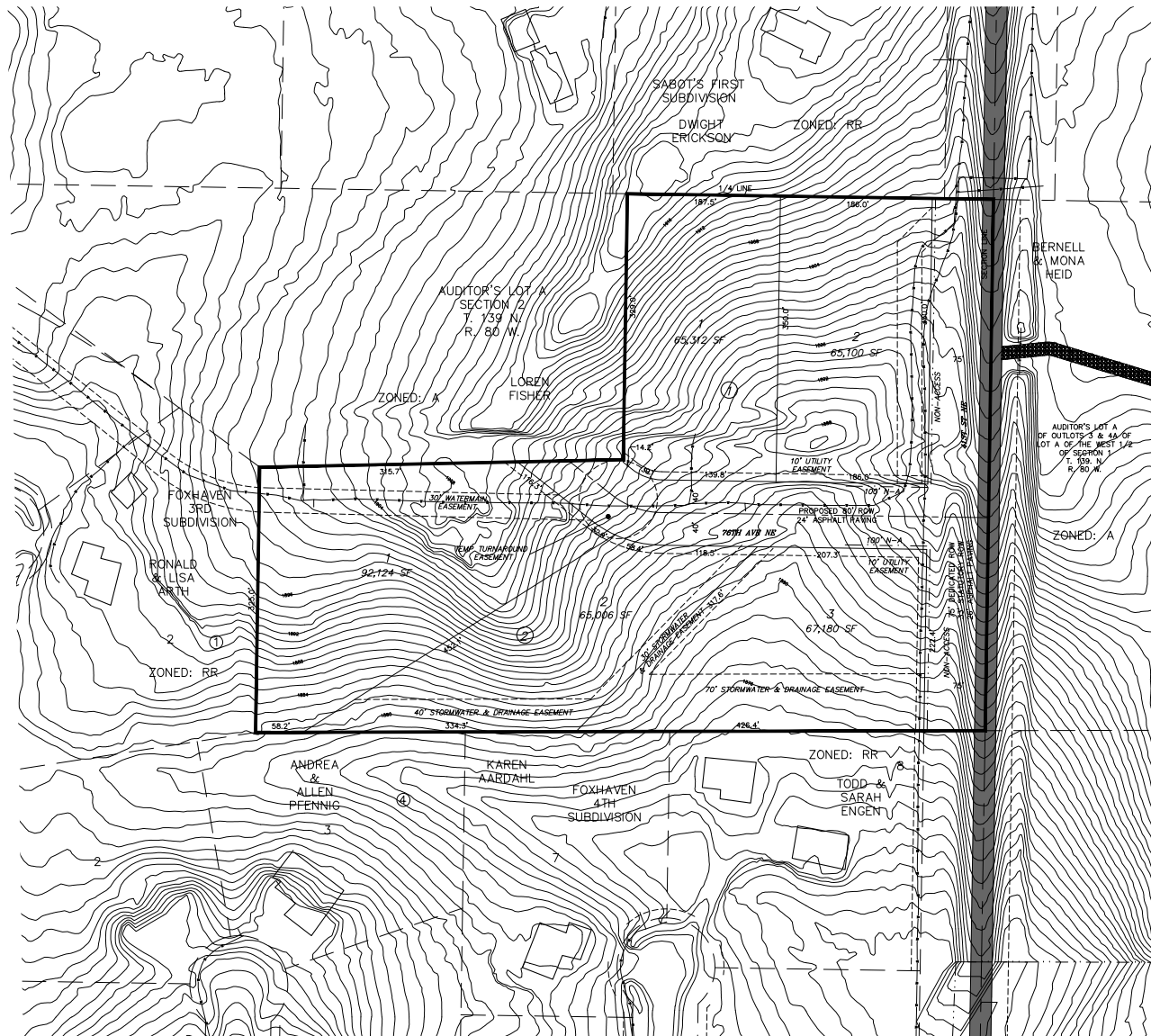
This map is for representational use only and does not represent a survey.
No liability is assumed as to the accuracy of the data delineated hereon.



City of Bismarck
Planning Department
January 16, 2026

JFP FOXHAVEN SUBDIVISION

AUDITOR'S LOT B OF THE SE 1/4
OF SECTION 2, TOWNSHIP 139 NORTH, RANGE 80 WEST
BURLEIGH COUNTY, NORTH DAKOTA



LOCATION MAP

10.0 ACRES
EXISTING ZONING: A
5 LOTS, 2 BLOCKS

ZONING: A
PROPOSED ZONING: RR

OWNER: LOREN FISCHER

SURVEYOR: SWENSON HAGEN & CO

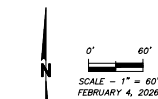
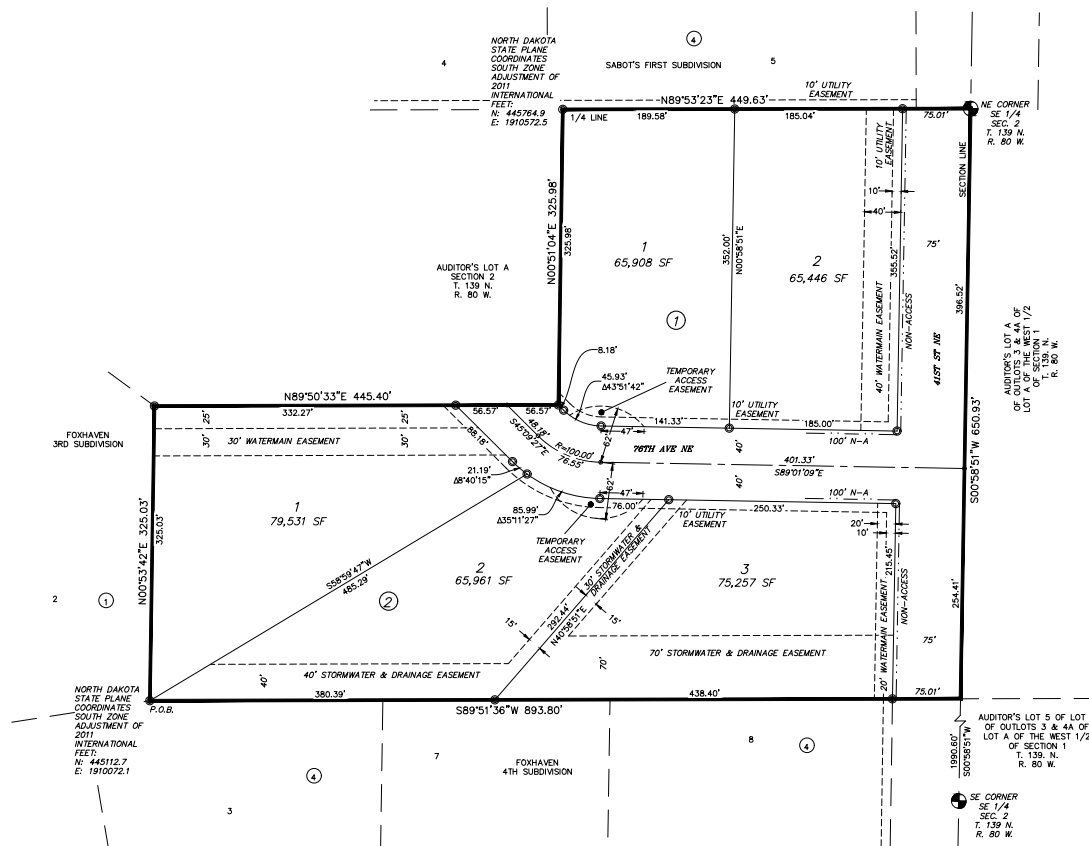


SCALE - 1" = 40'

VERTICAL DATUM: NAVD 88

DECEMBER 23, 2025

JFP FOXHAVEN SUBDIVISION
BEING AUDITOR'S LOT B OF THE SOUTHEAST 1/4
OF SECTION 2 TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN
BURLEIGH COUNTY, NORTH DAKOTA



NOTES

BASIS OF BEARING:
 NORTH DAKOTA STATE PLANE, SOUTH ZONE BY
 CITY ORDINANCE

COORDINATE DATUM:
 NORTH DAKOTA STATE PLANE COORDINATE
 SYSTEM
 NAD 83 SOUTH ZONE
 ADJUSTMENT OF 2011
 UNITS ARE INTERNATIONAL FEET

BEARINGS AND DISTANCES MAY VARY FROM
 PREVIOUS PLATS DUE TO DIFFERENT METHODS
 OF MEASUREMENTS

AREA DATA

LOTS	SQ. FT.	ACRES
LOT 1	352,109	8.08
LOT 2	352,109	8.08
TOTAL	704,218	16.16

NOTE:
 THE WATER SERVICE AGREEMENT BETWEEN THE CITY
 OF BISMARCK AND SOUTH CENTRAL REGIONAL
 WATER DISTRICT WILL ALLOW THE PROVISION OF
 WATER SERVICE TO JFP FOXHAVEN SUBDIVISION FOR
 A PERIOD OF 10 YEARS AND SUBSEQUENT TO
 THAT TIME, THE CITY MAY, UPON A ONE YEAR
 NOTICE, REQUIRE SOUTH CENTRAL REGIONAL WATER
 DISTRICT TO DISCONTINUE WATER SERVICE IF CITY
 WATER SERVICE IS AVAILABLE.

APPROVAL OF BOARD OF COUNTY COMMISSION

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF BURLEIGH, NORTH DAKOTA, HAS APPROVED THE
 SUBDIVISION OF LAND AS SHOWN ON THE PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN
 THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE PLAT AS AN AMENDMENT TO THE MASTER PLAN OF
 BURLEIGH COUNTY, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY
 OF THE PLAT.

THIS PLAT WAS DONE IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, THE COMPREHENSIVE
 PLAN AND ORDINANCES OF THE COUNTY OF BURLEIGH.

THE FOREGOING ACTION OF THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, WAS
 TAKEN BY RESOLUTION APPROVED ON THE ____ DAY OF _____, 2026.

STEVE BAKKEN - CHAIRMAN
 ATTEST: MARK SPILONSKOWSKI
 BURLEIGH COUNTY AUDITOR/TREASURER

OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT LOREN FISHER, BEING THE OWNER AND PROPRIETOR OF THE PROPERTY
 SHOWN HEREON HAS CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "JFP FOXHAVEN
 SUBDIVISION", BURLEIGH COUNTY, NORTH DAKOTA, AND DO SO DEDICATE STREETS AS SHOWN HEREON INCLUDING ALL
 SEWER, CULVERTS, WATER AND OTHER PUBLIC UTILITY LINES WHETHER SHOWN HEREON OR NOT TO THE BURLEIGH
 COUNTY FOREVER.

HE ALSO DEDICATES EASEMENTS TO THE CITY OF BISMARCK TO RUN WITH THE LAND, FOR GAS, ELECTRIC, TELEPHONE
 OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS
 "UTILITY EASEMENTS".

HE FURTHER DEDICATES TO BURLEIGH COUNTY, "TEMPORARY ACCESS EASEMENTS" TO CONSTRUCT, OPERATE, MAINTAIN,
 AND REPAIR PAYING FACILITIES ON THOSE STRIPS OF LAND DESIGNATED AS SUCH. EASEMENTS WILL BE RELEASED
 UPON THE EXTENSION OF 76TH AVE. WESTERLY TO INTERSECT WITH FOXHAVEN THIRD SUBDIVISION AND OAKLAND
 SUBDIVISION.

HE FURTHERMORE DEDICATES TO BURLEIGH COUNTY, "STORM WATER AND DRAINAGE EASEMENTS" TO RUN WITH THE
 LAND FOR THE PURPOSE OF STORM SEWER AND SURFACE WATER DRAINAGE UNDER, OVER, THROUGH AND/OR ACROSS
 THOSE AREAS DEDICATED HEREON AS "STORM WATER AND DRAINAGE EASEMENTS" FOR THE PURPOSE OF
 CONSTRUCTION, RECONSTRUCTION, REPAIR, ENLARGING AND MAINTAINING STORM WATER MANAGEMENT FACILITIES
 TOGETHER WITH NECESSARY APPURTENANCES THEREFOR FOR STORM WATER, STORM SEWER AND SURFACE WATER
 DRAINAGE AND MANAGEMENT OF SAID STORM WATER FLOW IN A MANNER THAT WILL PERMIT THE FREE AND
 UNOBSTRUCTED FLOW OF WATER UNDER, OVER AND/OR ACROSS THE EASEMENT AREA.

STATE OF NORTH DAKOTA)
 COUNTY OF BURLEIGH) SS

LOREN FISHER
 605 EAST MAIN ST
 WANDAN, ND 58554

ON THIS ____ DAY OF _____, 2026, BEFORE ME PERSONALLY APPEARED LOREN FISHER, KNOWN
 TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED
 TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC
 BURLEIGH COUNTY, NORTH DAKOTA
 MY COMMISSION EXPIRES _____



SWENSON, HAGEN & COMPANY P.C.
 3002 Arway Avenue
 Bismarck, North Dakota 58101
 (701) 223-2600
 Fax (701) 223-2609
 Email: shc@swensonhagen.com
 Website: www.swensonhagen.com
 Services:
 Surveying
 Hydrology
 Land Planning
 Civil Engineering
 Landscape & Site Design
 Construction Management

DESCRIPTION

BEING AUDITOR'S LOT B OF THE SOUTHEAST 1/4 OF SECTION 2 TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE
 FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 2 BLOCK 1 FOXHAVEN 3RD SUBDIVISION; THENCE NORTH 00
 DEGREES 53 MINUTES 42 SECONDS EAST, ON THE EAST LINE OF SAID LOT 2, A DISTANCE OF 325.03 FEET TO
 THE BOUNDARY LINE OF AUDITOR'S LOT A OF SECTION 2, TOWNSHIP 139 NORTH, RANGE 80 WEST; THENCE
 NORTH 89 DEGREES 50 MINUTES 33 SECONDS EAST, A DISTANCE OF 445.40 FEET;
 THENCE NORTH 00 DEGREES 51 MINUTES 04 SECONDS EAST, CONTINUING ON SAID BOUNDARY LINE, A DISTANCE
 OF 325.98 FEET TO THE SOUTH LINE OF SABOT'S FIRST SUBDIVISION; THENCE NORTH 89 DEGREES 53 MINUTES
 23 SECONDS EAST, ON SAID SOUTH LINE, A DISTANCE OF 449.63 FEET TO THE EAST LINE OF SAID SECTION 2;
 THENCE SOUTH 00 DEGREES 58 MINUTES 51 SECONDS WEST, ON SAID EAST LINE, A DISTANCE OF 650.83 FEET
 TO THE NORTH LINE OF FOXHAVEN 4TH SUBDIVISION; THENCE SOUTH 89 DEGREES 51 MINUTES 36 SECONDS WEST,
 ON SAID NORTH LINE, A DISTANCE OF 893.80 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 10.03 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, TERRY BALTZER, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY
 THAT THE APPROVED PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION
 AND COMPLETED ON ____ THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT
 TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT, THAT ALL
 REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

SWENSON, HAGEN & CO. P.C.
 3002 ARWAY AVE
 BISMARCK, NORTH DAKOTA
 58504

TERRY BALTZER
 PROFESSIONAL LAND SURVEYOR
 N.D. REGISTRATION NO. 3595

APPROVAL OF CITY PLANNING & ZONING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THE PLAT HAS BEEN APPROVED BY THE PLANNING & ZONING
 COMMISSION OF THE CITY OF BISMARCK, NORTH DAKOTA, 2026, IN ACCORDANCE WITH
 LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK AND REGULATIONS ADOPTED BY
 THE SAID PLANNING COMMISSION. IN WITNESS WHEREOF ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND
 SECRETARY OF THE PLANNING & ZONING COMMISSION OF THE CITY OF BISMARCK.

MICHAEL J. SCHWARTZ - CHAIRMAN

ATTEST:
 DANIEL NAIEN - SECRETARY

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE
 SUBDIVISION OF LAND AS SHOWN ON THE PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN
 THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE APPROVED PLAT AS AN AMENDMENT TO THE
 MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATTING
 WITHIN THE BOUNDARY OF THE APPROVED PLAT.

THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS TAKEN
 BY RESOLUTION APPROVED THE ____ DAY OF _____, 2026.

MICHAEL T. SCHWITZ - PRESIDENT

ATTEST:
 JASON TOMANEN - CITY ADMINISTRATOR

APPROVAL OF CITY ENGINEER

I, GABRIEL J. SCHELL, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE THIS
 PLAT.

GABRIEL J. SCHELL
 CITY ENGINEER

**RESOLUTION OF
THE BISMARCK BOARD OF CITY COMMISSIONERS
AMENDMENT TO THE MAJOR STREET PLAN (MSPA2025-001)**

WHEREAS, the Board of City Commissioners of the City of Bismarck, North Dakota, wishes to formally amend the City of Bismarck's Major Street Plan, which shows existing and future corridors for major streets in Bismarck and its extraterritorial area; and

WHEREAS, said Major Street Plan was adopted as part of Together 2045 Bismarck's Comprehensive Plan by the Bismarck Planning and Zoning Commission on November 16 and by the Bismarck Board of City Commissioners on December 27, 2022; and

WHEREAS, the Major Street Plan may, from time to time, be amended according to standards and procedures established in the comprehensive plan; and

WHEREAS, the Planning and Zoning Commission held a public hearing on February 25, 2026 and, after consideration of the matter, recommended the amendment to the Board of City Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota, to amend the Major Street Plan to shift the alignment of a future collector section of 76th Avenue Northeast between Gray Fox Lane and 52nd Street Northeast further to the north for the area shown on the attached exhibit and described, more or less, as:

Parts of Hay Creek Township, Sections 1 and 2, T139N-R80W in Burleigh County, North Dakota

is in all things allowed and granted.

BE IT FURTHER RESOLVED that the Planning Director of the City of Bismarck is directed to revise all subsequent publications of the Major Street Plan to reflect the amendments hereby resolved.

Adopted this 10th day of March, 2026.

CERTIFICATE

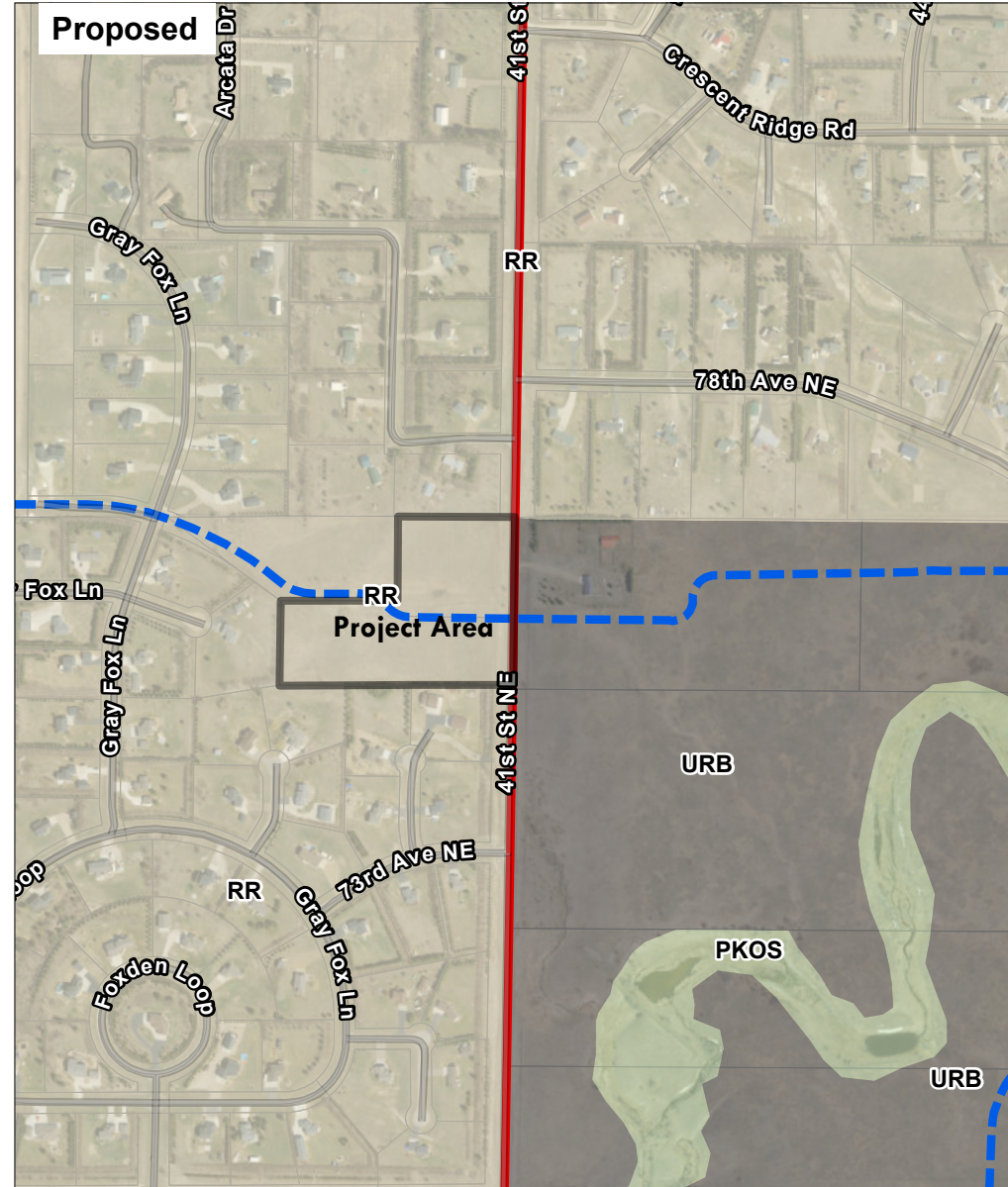
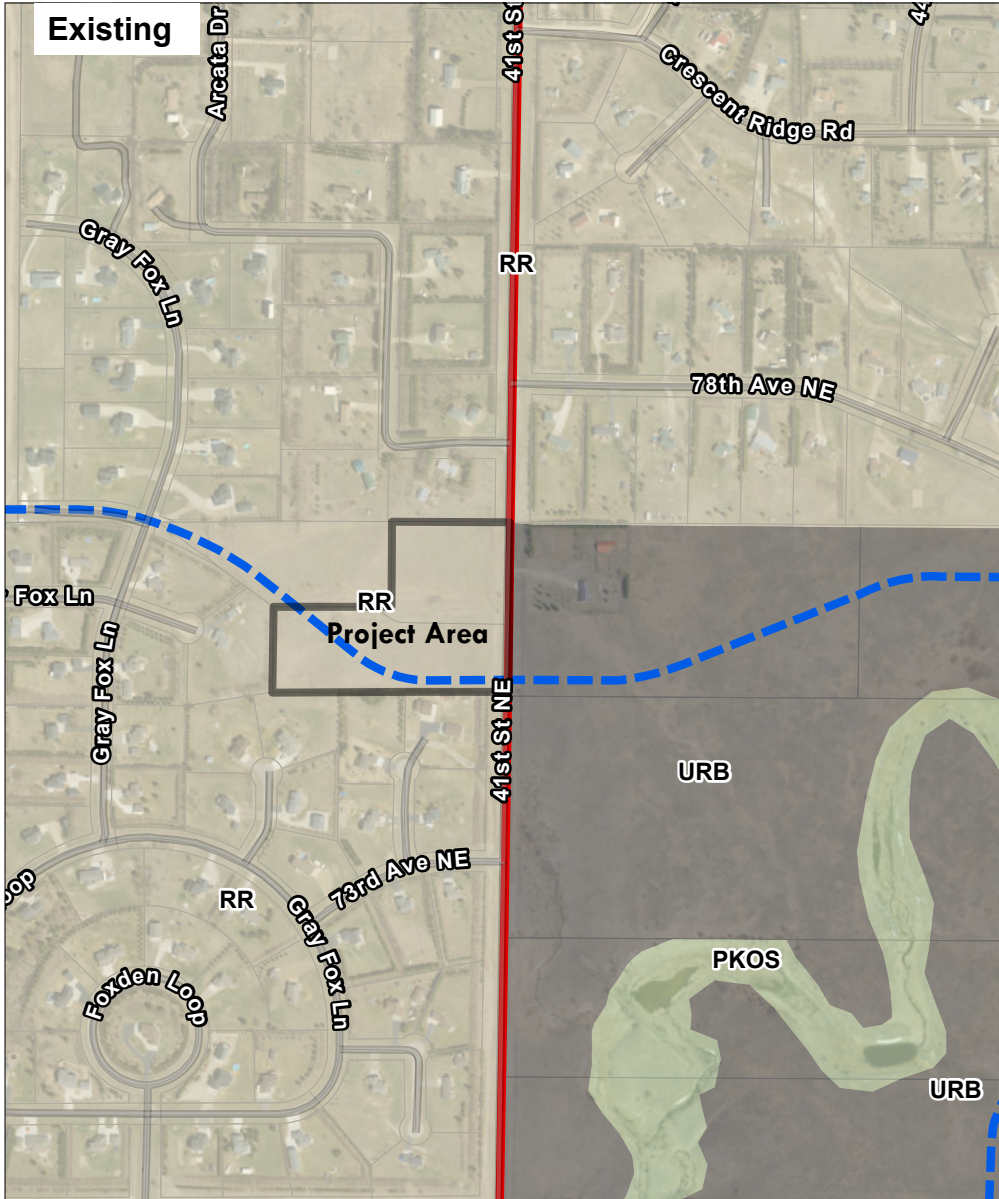
I, Jason Tomanek, do hereby certify that I am the duly appointed, qualified City Administrator of the City of Bismarck, North Dakota, and that the foregoing is a full, true and correct copy of a resolution adopted at a legally convened meeting of the Board of City Commissioners held on this March 10, 2026.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Bismarck, North Dakota.

Jason Tomanek
City Administrator
Bismarck, North Dakota

Date

DRAFT



City of Bismarck
Planning Department
January 20, 2026

 Bismarck ETA
Future Land Use Plan

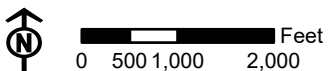
 Rural Residential (RR)
 Parks and Open Space (PKOS)

 Urban Reserve Long-Term (URB)

Major Street Plan

 Future Collector
 Existing Arterial

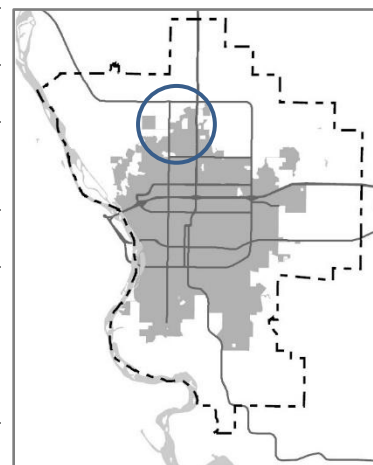
 Existing Shared Use Path



*This map is for
representational
use only and does
not represent a
survey. No liability
is assumed as to the
accuracy of the data
delivered from.*

Project Summary

<i>Title:</i>	Daybreak Third Addition
<i>Status:</i>	Planning and Zoning Commission - Public Hearing
<i>Property Owner(s):</i>	Belfield Access Terminal LLC (Lot 1 and Lot 3) 4 Kids Property LLC (Lot 2)
<i>Project Contact:</i>	Landon Niemiller, AICP, Swenson Hagen & Co.
<i>Project Location:</i>	Northwest Bismarck, north of 57th Avenue NE between North Washington Street and State Street, in the southeast quadrant of the intersection of Ridgeland Drive and 64th Avenue NE
<i>Project Size:</i>	7.21 acres
<i>Applicant Request:</i>	Replat property for development
<i>Staff Recommendation:</i>	Approve



Site Information

<i>Existing Conditions</i>		<i>Proposed Conditions</i>	
<i>Lots/Blocks:</i>	2 parcels in 1 block	<i>Lots/Blocks:</i>	3 lots lot in 1 block
<i>Land Use:</i>	Undeveloped	<i>Land Use:</i>	Commercial
<i>Future Land Use:</i>	Community Mixed Use (CMU)	<i>Future Land Use:</i>	No change
<i>Zoning:</i>	CG – Commercial	<i>Zoning:</i>	No change
<i>Uses Allowed:</i>	CG – General commercial, multi-family residential, and offices	<i>Uses Allowed:</i>	No change
<i>Max Density:</i>	CG – 42 units / acre	<i>Max Density:</i>	No change

Area Information

<i>Zoning Jurisdiction:</i>	Bismarck City Limits
<i>Township:</i>	N/A (City of Bismarck)
<i>Neighborhood:</i>	Daybreak East

Property History

<i>Zoned:</i>	11/2022
<i>Platted:</i>	11/2022
<i>Annexed:</i>	11/2022

(continued)

Project Narrative

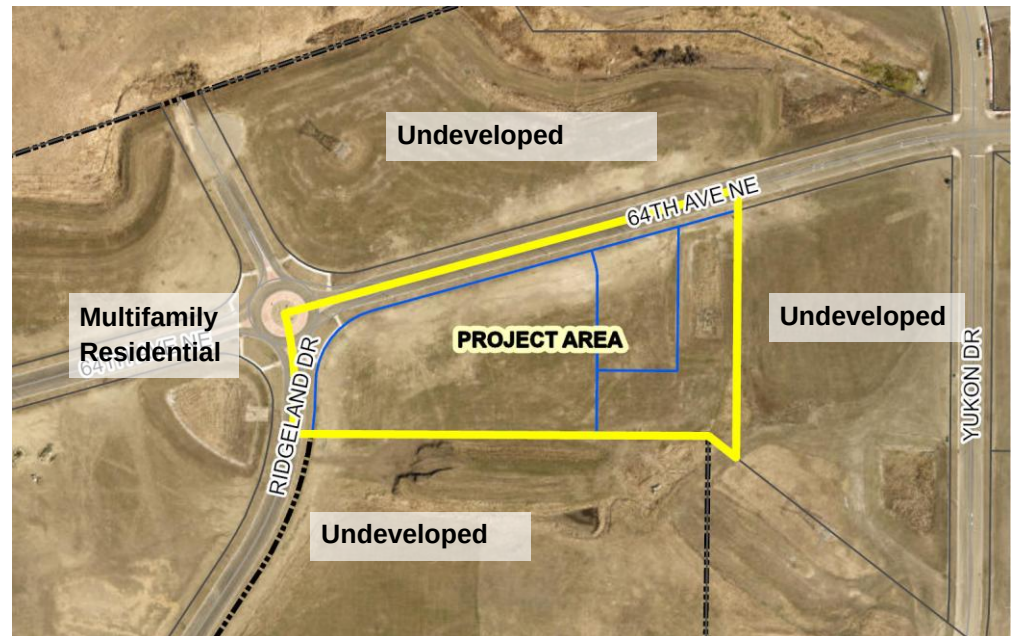
Belfield Access Terminal LLC and 4 Kids Property LLC are requesting approval of a minor subdivision final plat titled Daybreak Third Addition. The proposed plat is a replat of Lot 1, Block 5, Daybreak Second Addition into three lots.

Lot 3 of the proposed plat includes two sizable easements for stormwater and drainage, and for an overhead utility line, but remains large enough to be developed.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:

A Zoning and Plan Reference Map is attached to this staff report, including current zoning, the Future Land Use Plan, Major Street Plan, and Active Mobility Plan.



The property has been identified as Community Mixed Use (CMU) in the Future Land Use Plan. The CMU areas are places of commerce, employment, and residence for the Bismarck Community. Goals and objectives of this plan as they relate to this request referenced in review standards below.

Adjacent uses include undeveloped commercial uses to the north across 64th Avenue NE, and to the east, vacant agricultural zoned land to the south, and developing commercial uses to the west across Ridgeland Drive.

Public Engagement

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on February 13 and 20, and two postcards were

mailed to the owners of nearby properties on February 13, 2026.

A physical sign providing information on the public hearing was placed in a publicly accessible spot at the project location on February 9, 2026.

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Open Development Projects Dashboard and Community Development Activities map.

All written comments received by staff prior to the public hearing will be distributed to the Planning and Zoning Commission and summarized by staff during the oral presentation.

(continued)

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

Dimensional standards of the zoning ordinance are met with the proposed subdivision ([Title 14](#))

Yes. All lots meet area and width requirements of the zoning district within which they are located, and there is sufficient space within each lot for anticipated buildings to meet density, setback, and lot coverage requirements.

Stormwater runoff impacted by this subdivision is adequately managed to protect public and private investments and the natural environment ([Goal 15](#), Section 14.1-04-03);

Yes. There is a plan to manage any stormwater runoff generated by this subdivision. The post-construction stormwater management permit (PCSMP) has been conditionally approved by the City Engineer. The proposed plat includes stormwater and drainage easements on Lot 2 and Lot 3.

Technical specifications required of the final plat have been met (Section 14-09-07)

Yes. The proposed final plat contains the required information to ensure an accurate and timely review by staff, the Planning and Zoning Commission, and the general public.

Proper administrative procedures related to the request are being followed (Section 14-09-04)

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. The applicant has submitted a complete application for final plat approval, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission. A public hearing has been scheduled for this request, and all requirements for notice of this hearing have been met, as documented in this report above.

The public health, safety and general welfare will not be adversely impacted by the proposed subdivision ([Goal S10-a](#))

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed subdivision would not adversely impact the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of the minor subdivision plat titled Daybreak Third Addition.

Attachments

1. Zoning and Plan Reference Map
2. Final Plat
3. Original Plat with Replatted Area Highlighted

Staff report prepared by: Jenny Wollmuth, AICP, CFM, Senior Planner
701-355-1845 | jwollmuth@bismarcknd.gov

Zoning Districts

A	Agriculture
RR	Rural
R5	Residential
RMH	Manufactured Home Residential
R10	Residential
RM	Residential Multifamily
RT	Residential (Offices)
HM	Health and Medical
CA	Commercial
CG	Commercial
MA	Industrial
MB	Industrial
PUD	Planned Unit Development
DC	Downtown Core
DF	Downtown Fringe

Future Land Use Plan

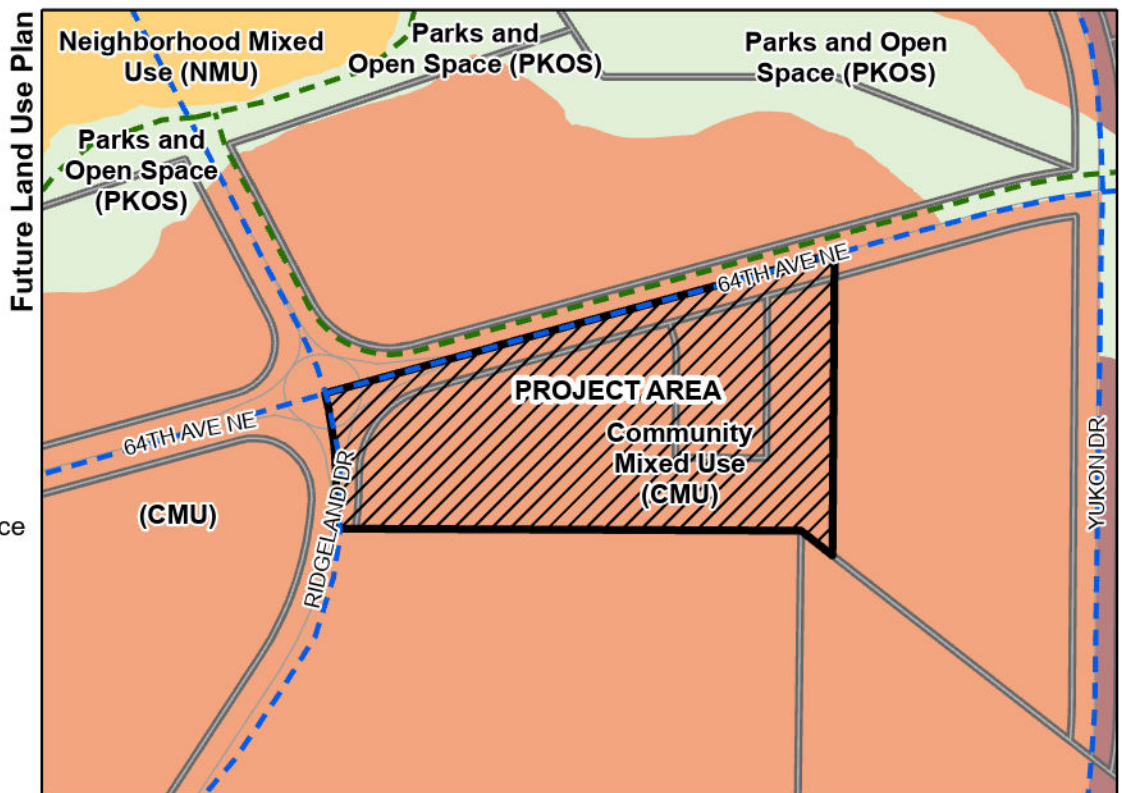
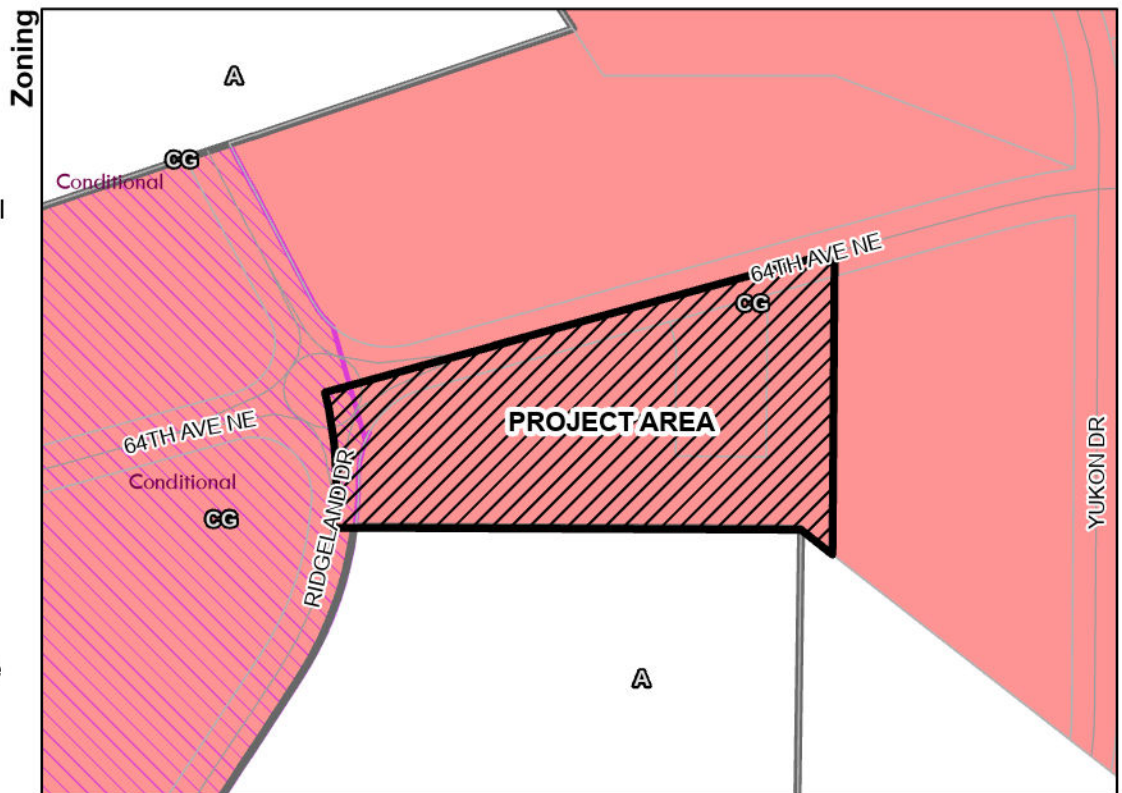
UN	Urban
NMU	Neighborhood Mixed Use
CMU	Community Mixed Use
DMU	Destination Mixed Use
DT	Downtown
IND	Industrial
IF	Industrial Flex
IMU	Industrial Mixed Use
INS	Institutional
RR	Rural
TR	Residential Transitional
PKOS	Parks/Open Space
URA/URB	Urban Reserve Mid/Long-Term

Active Mobility Plan

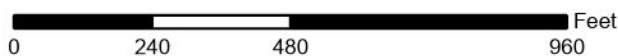
— Future Shared Trail

Major Street Plan

—	Existing Arterial
- -	Future Arterial
—	Existing Collector
- -	Future Collector
—	Existing Interstate
- -	Future Interstate
—	City Limits



This map is for representational use only and does not represent a survey.
No liability is assumed as to the accuracy of the data delineated herein.



City of Bismarck
Planning Department
February 18, 2026

DAYBREAK THIRD ADDITION

BEING ALL OF LOT 1 BLOCK 5 DAYBREAK SECOND ADDITION
AND PART OF THE SOUTH 1/2 OF 64TH AVE
AND PART OF THE EAST 1/2 OF RIDGELAND DRIVE RIGHTS-OF-WAY
OF THE SE 1/4 OF SECTION 9, TOWNSHIP 139 NORTH, RANGE 80 WEST
OF THE FIFTH PRINCIPAL MERIDIAN

BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

DESCRIPTION

BEING ALL OF LOT 1 BLOCK 5 DAYBREAK SECOND ADDITION AND PART OF THE SOUTH 1/2 OF 64TH AVE AND PART OF THE EAST 1/2 OF RIDGELAND DRIVE RIGHTS-OF-WAY OF THE SE 1/4 OF SECTION 9, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2 BLOCK 5 DAYBREAK SECOND ADDITION; THENCE NORTH 52 DEGREES 03 MINUTES 33 SECONDS WEST, ON THE SOUTH LINE OF BLOCK 5 DAYBREAK SECOND ADDITION, A DISTANCE OF 68.27 FEET; THENCE NORTH 89 DEGREES 44 MINUTES 16 SECONDS WEST, CONTINUING ON SAID SOUTH LINE AND ITS WESTERLY EXTENSION, A DISTANCE OF 813.02 FEET TO THE CENTERLINE OF RIDGELAND DRIVE, RIGHT-OF-WAY; THENCE NORTHERLY AND TO THE LEFT, ON SAID CENTERLINE, ON A 600.00 FOOT RADIUS CURVE, THE RADIUS OF WHICH BEARS NORTH 81 DEGREES 58 MINUTES 46 SECONDS WEST, AN ARC LENGTH OF 237.21 FEET TO THE CENTERLINE OF 64TH AVE, RIGHT-OF-WAY; THENCE NORTH 74 DEGREES 39 MINUTES 46 SECONDS EAST, ON SAID CENTERLINE, A DISTANCE OF 917.82 FEET TO THE NORTHERLY EXTENSION OF THE WEST LINE OF LOT 2 BLOCK 5 DAYBREAK SECOND ADDITION; THENCE SOUTH 02 DEGREES 25 MINUTES 33 SECONDS WEST, ON SAID WEST LINE AND NORTHERLY EXTENSION, A DISTANCE OF 524.36 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 7.21 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, TERRY BALTZER, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE APPROVED PLAT IS A TRUE COPY OF THE SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON _____. THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT, THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

SWENSON, HAGEN & CO. P.C.
3002 AIRWAY AVE
BISMARCK, NORTH DAKOTA
58504

TERRY BALTZER
PROFESSIONAL LAND SURVEYOR
N.D. REGISTRATION NO. 35926

APPROVAL OF CITY PLANNING & ZONING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THE PLAT HAS BEEN APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF BISMARCK, ON THE ____ DAY OF _____, 202____, IN ACCORDANCE WITH LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK AND REGULATIONS ADOPTED BY THE SAID PLANNING COMMISSION. IN WITNESS WHEREOF, ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING & ZONING COMMISSION OF THE CITY OF BISMARCK.

MICHAEL J. SCHWARTZ - CHAIRMAN

ATTEST
DANIEL NAIEN - SECRETARY

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE APPROVED PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA, AND DOES HEREBY LOCATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THE APPROVED PLAT.

THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE ____ DAY OF _____, 202____.

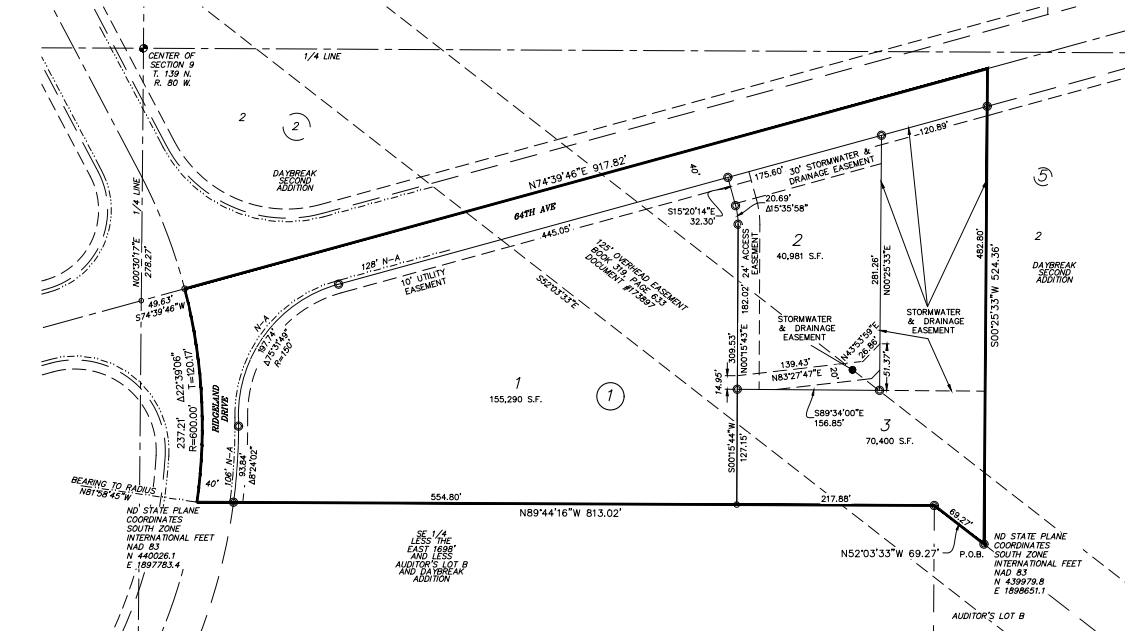
MICHAEL T. SCHWITZ - PRESIDENT

ATTEST
JASON TOMANEK - CITY ADMINISTRATOR

APPROVAL OF CITY ENGINEER

I, GABRIEL J. SCHELL, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE THIS PLAT.

GABRIEL J. SCHELL
CITY ENGINEER



OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT BELFIELD ACCESS TERMINAL, LLC & 4 KIDS PROPERTY, LLC, BEING THE OWNERS AND PROPRIETORS OF THE PROPERTY SHOWN HEREON HAVE CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "DAYBREAK THIRD ADDITION", BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, AND DO SO RE-DEDICATE STREETS AS SHOWN HEREON INCLUDING ALL SEWER, CULVERTS, WATER AND OTHER PUBLIC UTILITY LINES WHETHER SHOWN HEREON OR NOT TO THE PUBLIC USE FOREVER.

THEY ALSO DEDICATE EASEMENTS TO THE CITY OF BISMARCK TO RUN WITH THE LAND, FOR GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS UTILITY EASEMENTS.

4 KIDS PROPERTY, LLC GRANTS ACCESS EASEMENTS TO BELFIELD ACCESS TERMINAL, LLC, THEIR TENANTS, VISITORS AND LICENSEES, IN COMMON WITH ALL OTHERS HAVING LINE RIGHT AT ALL TIMES HEREAFTER FOR ALL PURPOSES CONNECTED WITH THE USE OF SAID PARTIES, TO PASS AND REPASS ALONG SAID EASEMENT AND TO HOLD SAID EASEMENT TO SAID PARTIES, THEIR HEIRS AND ASSIGNS AND APPURTENANT TO THE LAND OF SAID PARTIES. SAID EASEMENT INCLUDES THE RIGHT OF THE GRANTEEES TO CONSTRUCT, REPAIR AND MAINTAIN A PRIVATE ROAD WITHIN THE EASEMENT AREA.

4 KIDS PROPERTY, LLC GRANTS AND BELFIELD ACCESS TERMINAL, LLC, GRANT UNTO EACH OTHER "STORM WATER AND DRAINAGE EASEMENTS" TO RUN WITH THE LAND FOR THE PURPOSE OF STORM SEWER AND SURFACE WATER DRAINAGE UNDER, OVER, THROUGH AND/OR ACROSS THOSE AREAS DEDICATED HEREON AS "STORM WATER AND DRAINAGE EASEMENTS" FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, REPAIR, ENLARGING AND MAINTAINING STORM WATER MANAGEMENT FACILITIES AND WITH NECESSARY APPURTENANCES THERE TO FOR STORM WATER, STORM SEWER AND SURFACE WATER DRAINAGE AND MANAGEMENT OF SAID STORM WATER FLOW IN A MANNER THAT WILL PERMIT THE FREE AND UNOBSTRUCTED FLOW OF WATER UNDER, OVER AND/OR ACROSS THE EASEMENT AREA.

STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH)

RONALD KNUTSON, MANAGING PARTNER
BELFIELD ACCESS TERMINAL, LLC
555 HWY 1804 NE
BISMARCK, ND 58503
OWNER, LOTS 1 & 3 BLOCK 1

ON THIS ____ DAY OF _____, 202____, BEFORE ME PERSONALLY APPEARED RONALD KNUTSON OF BELFIELD ACCESS TERMINAL, LLC, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES _____

STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH)

HANNAH ZIMMERMAN, MANAGING PARTNER
4 KIDS PROPERTY, LLC
3026 LINK DR
BISMARCK, ND 58503
OWNER, LOT 2 BLOCK 1

ON THIS ____ DAY OF _____, 202____, BEFORE ME PERSONALLY APPEARED HANNAH ZIMMERMAN OF 4 KIDS PROPERTY, LLC, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND SHE ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME.

NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES _____

NOTES

BASIS OF BEARING:
NORTH DAKOTA STATE PLANE, SOUTH ZONE BY
CITY ORDINANCE

COORDINATE DATUM:
NORTH DAKOTA STATE PLANE COORDINATE
SYSTEM
NAD 83 SOUTH ZONE
ADJUSTMENT OF 2011
UNITS ARE INTERNATIONAL FEET

BEARINGS AND DISTANCES MAY VARY FROM
PREVIOUS PLATS DUE TO DIFFERENT METHODS
OF MEASUREMENTS.

0' 50'
SCALE - 1" = 50'
FEBRUARY 4, 2026

○ MONUMENT TO BE SET
● MONUMENT IN PLACE

AREA DATA

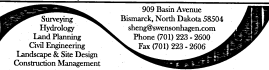
LOTS	1	2	3	TOTAL
AREA	155,290 S.F.	70,400 S.F.	15,112 ACRES	47,614 S.F.
STREETS				1,009 ACRES
TOTAL				314,286 S.F. 7.21 ACRES



SWENSON, HAGEN & COMPANY P.C.

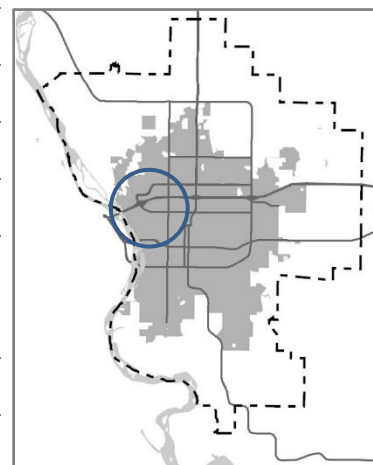
3002 Main Avenue
Bismarck, North Dakota 58501
shc@swensonhagen.com
Phone (701) 221-3000
Fax (701) 221-3006
Land Planning
Civil Engineering
Landscape & Site Design
Construction Management

BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA



Project Summary

<i>Title:</i>	Prairie Hills Seventh Addition
<i>Status:</i>	Planning and Zoning Commission - Public Hearing
<i>Property Owner(s):</i>	4Partners LLC
<i>Project Contact:</i>	Jayne Engen, Mountain Plains LLC
<i>Project Location:</i>	In west, central Bismarck along the north side of West Turnpike Avenue, between West Divide Avenue (to the west) and Xavier Street (to the east)
<i>Project Size:</i>	1.05 acres
<i>Applicant Request:</i>	Replat the property to facilitate future development
<i>Staff Recommendation:</i>	Approve



Site Information

<i>Existing Conditions</i>		<i>Proposed Conditions</i>	
<i>Lots/Blocks:</i>	1 parcel in 1 block	<i>Lots/Blocks:</i>	2 lots in 1 block
<i>Land Use:</i>	Undeveloped	<i>Land Use:</i>	Office uses
<i>Future Land Use:</i>	Destination Mixed Use (DMU)	<i>Future Land Use:</i>	No change
<i>Zoning:</i>	CG – Commercial	<i>Zoning:</i>	No change
<i>Uses Allowed:</i>	CG – General commercial, multi-family residential, and offices	<i>Uses Allowed:</i>	No change
<i>Max Density:</i>	CG – 42 units / acre	<i>Max Density:</i>	No change

Area Information

<i>Zoning Jurisdiction:</i>	Bismarck City Limits
<i>Township:</i>	N/A (City of Bismarck)
<i>Neighborhood:</i>	Grimsrud

Property History

<i>Zoned:</i>	06/07
<i>Platted:</i>	08/80
<i>Annexed:</i>	Pre-1980

Project Narrative

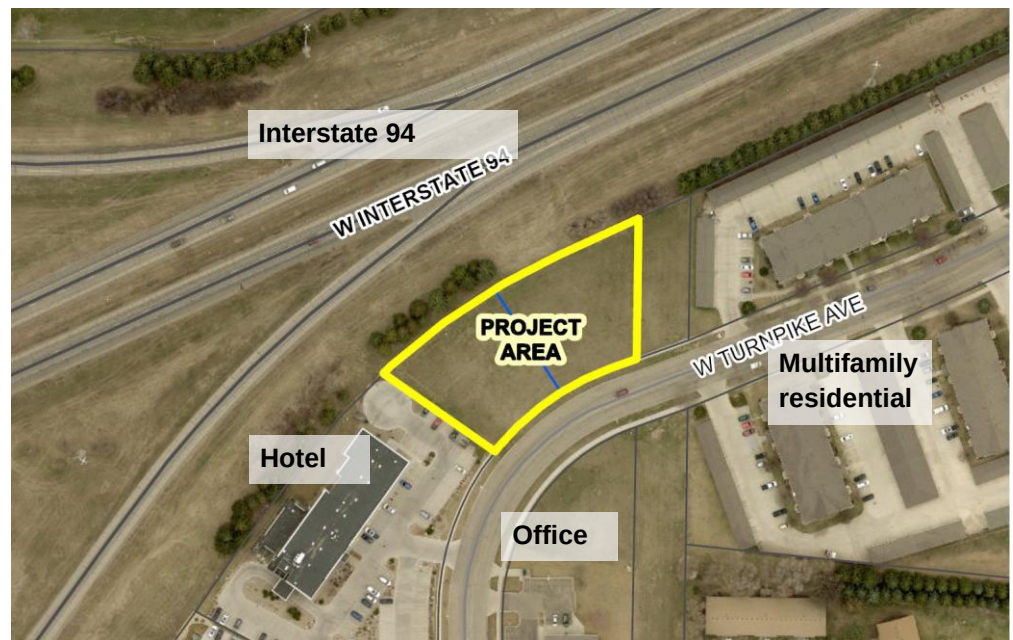
4Partners LLC is requesting approval of a minor subdivision final plat titled Prairie Hills Seventh Addition. The project is a replat of Lots 2 and 3A, Block 1, Prairie Hills Fourth Addition which were previously combined into one parcel.

The applicant intends to use the subdivision process to create a new two lot in one block subdivision with the necessary easements for access and stormwater management. The property is currently zoned CG – Commercial and that is not proposed to change.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:

A Zoning and Plan Reference Map is attached to this staff report, including current zoning, the Future Land Use Plan, Major Street Plan, and Active Mobility Plan.



The property has been identified as Destination Mixed Use (DMU) in the Future Land Use Plan. The DMU areas are the major commercial and employment centers that serve the entire regional trade area of Bismarck as well as visitors. Goals and objectives of this plan as they relate to minor subdivision final plats are referenced in review standards below.

The project area is just south of the right-of-way of Interstate 94. To the west of the project area is a hotel; to the south are office uses and to the east are multifamily residential uses.

Public Engagement

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on February 13 and 20, and 7 postcards were mailed to the owners of nearby properties on February 13, 2026.

A physical sign providing information on the public hearing was placed in a publicly accessible spot at the project location on February 9, 2026.

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Open Development Projects Dashboard and Community Development Activities map.

(continued)

All written comments received by staff prior to the public hearing will be distributed to the Planning and Zoning Commission and summarized by staff during the oral presentation.

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

Dimensional standards of the zoning ordinance are met with the proposed subdivision ([Title 14](#))

Yes. All lots meet area and width requirements of the zoning district within which they are located, and there is sufficient space within each lot for anticipated buildings to meet density, setback, and lot coverage requirements.

Stormwater runoff impacted by this subdivision is adequately managed to protect public and private investments and the natural environment ([Goal 15](#), Section 14.1-04-03);

Yes. There is a plan to manage any stormwater runoff generated by this subdivision. The post-construction stormwater management permit (PCSMP) has been conditionally approved by the City Engineer. A stormwater and drainage easement is dedicated on the southern 35 feet of Lot 2.

Technical specifications required of the final plat have been met (Section 14-09-07)

Yes. The proposed final plat contains the required information to ensure an accurate and timely review by staff, the Planning and Zoning Commission, and the general public.

Proper administrative procedures related to the request are being followed (Section 14-09-04)

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. The applicant has submitted a complete application for final plat approval, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission. A public hearing has been scheduled for this request, and all requirements for notice of this hearing have been met, as documented in this report above.

The public health, safety and general welfare will not be adversely impacted by the proposed subdivision ([Goal S10-a](#))

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed subdivision would not adversely impact the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of the minor subdivision final plat titled Prairie Hills Seventh Addition.

Attachments

1. Zoning and Plan Reference Map
2. Final Plat
3. Original Plat with Replatted Area Highlighted

Staff report prepared by: Isak Johnson, AICP, Planner

701-355-1850 | ijohnson@bismarcknd.gov

Zoning Districts

A	Agriculture
RR	Rural
	Residential
R5	Residential
RMH	Manufactured
	Home Residential
R10	Residential
RM	Residential
	Multifamily
RT	Residential
	(Offices)
HM	Health and
	Medical
CA	Commercial
CG	Commercial
MA	Industrial
MB	Industrial
PUD	Planned Unit
	Development
DC	Downtown Core
DF	Downtown Fringe

Future Land Use Plan

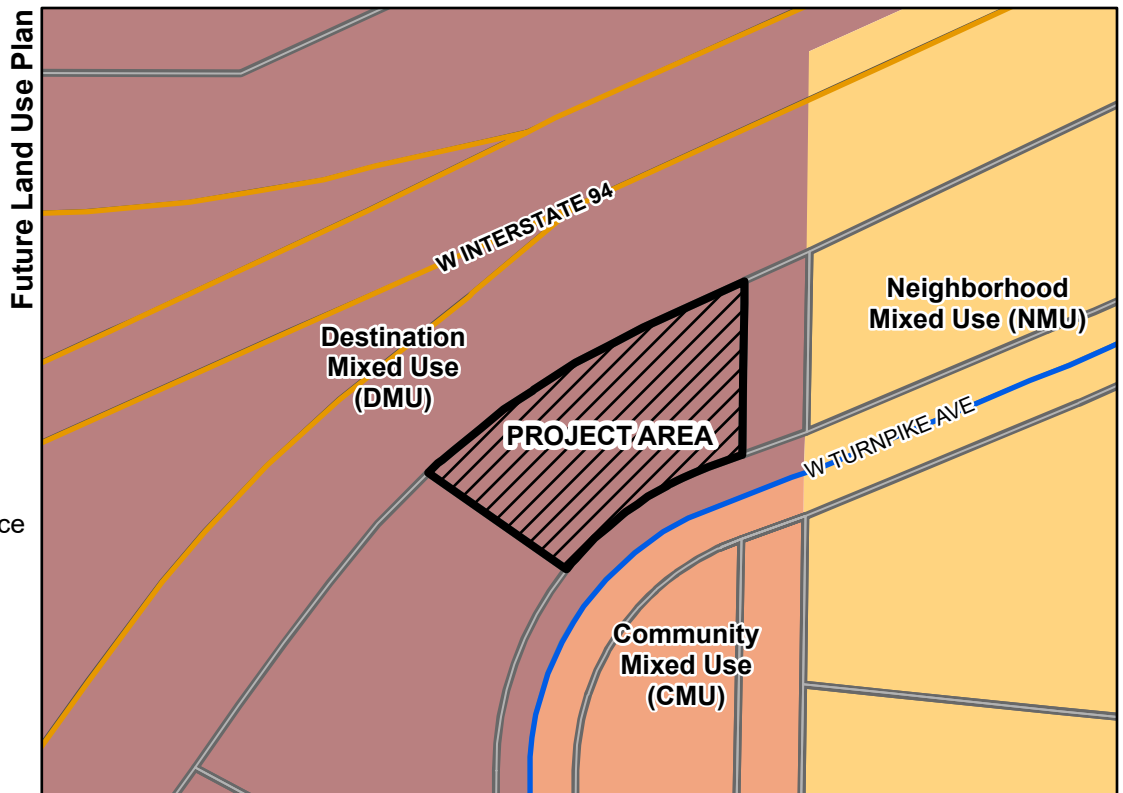
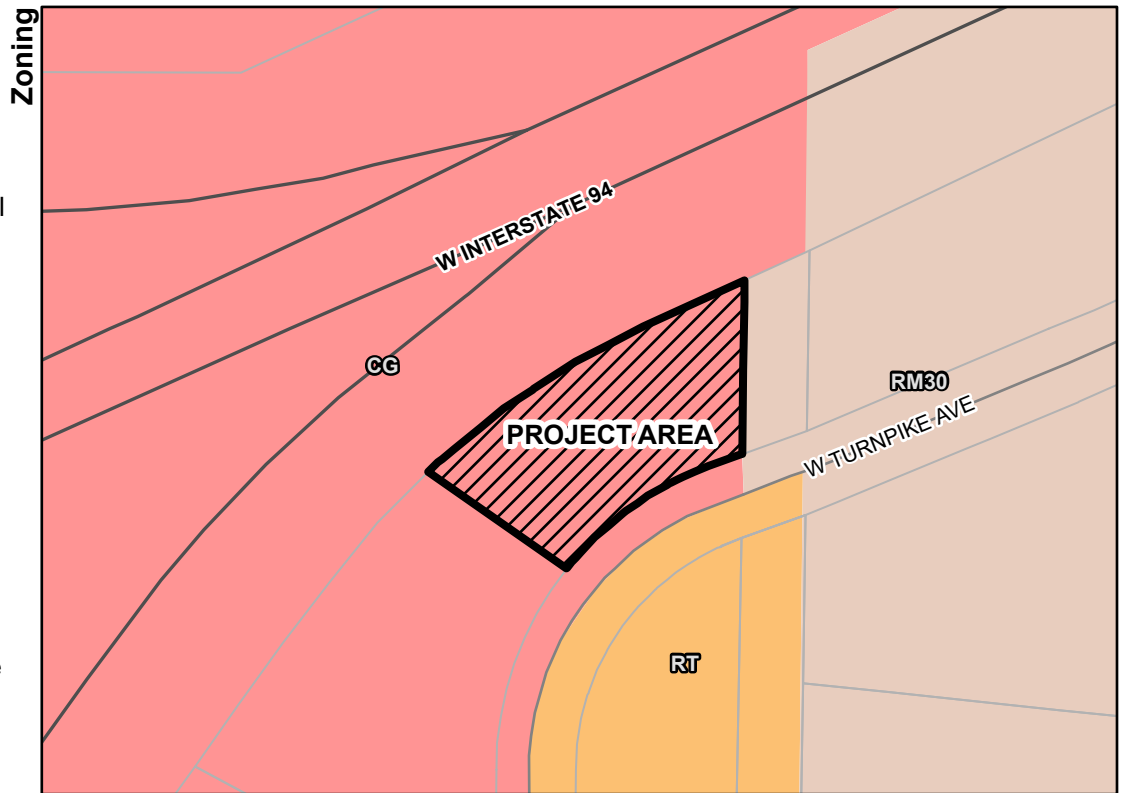
UN	Urban
	Neighborhood
NMU	Neighborhood
	Mixed Use
CMU	Community
	Mixed Use
DMU	Destination
	Mixed Use
DT	Downtown
IND	Industrial
IF	Industrial Flex
IMU	Industrial
	Mixed Use
INS	Institutional
RR	Rural
	Residential
TR	Transitional
	Rural
PKOS	Parks/Open Space
	Urban Reserve
URA/	Mid/Long-Term
URB	

Active Mobility Plan

— Future Shared Trail

Major Street Plan

—	Existing Arterial
- -	Future Arterial
—	Existing Collector
- -	Future Collector
—	Existing Interstate
- -	Future Interstate
—	City Limits



This map is for representational use only and does not represent a survey.
No liability is assumed as to the accuracy of the data delineated hereon.

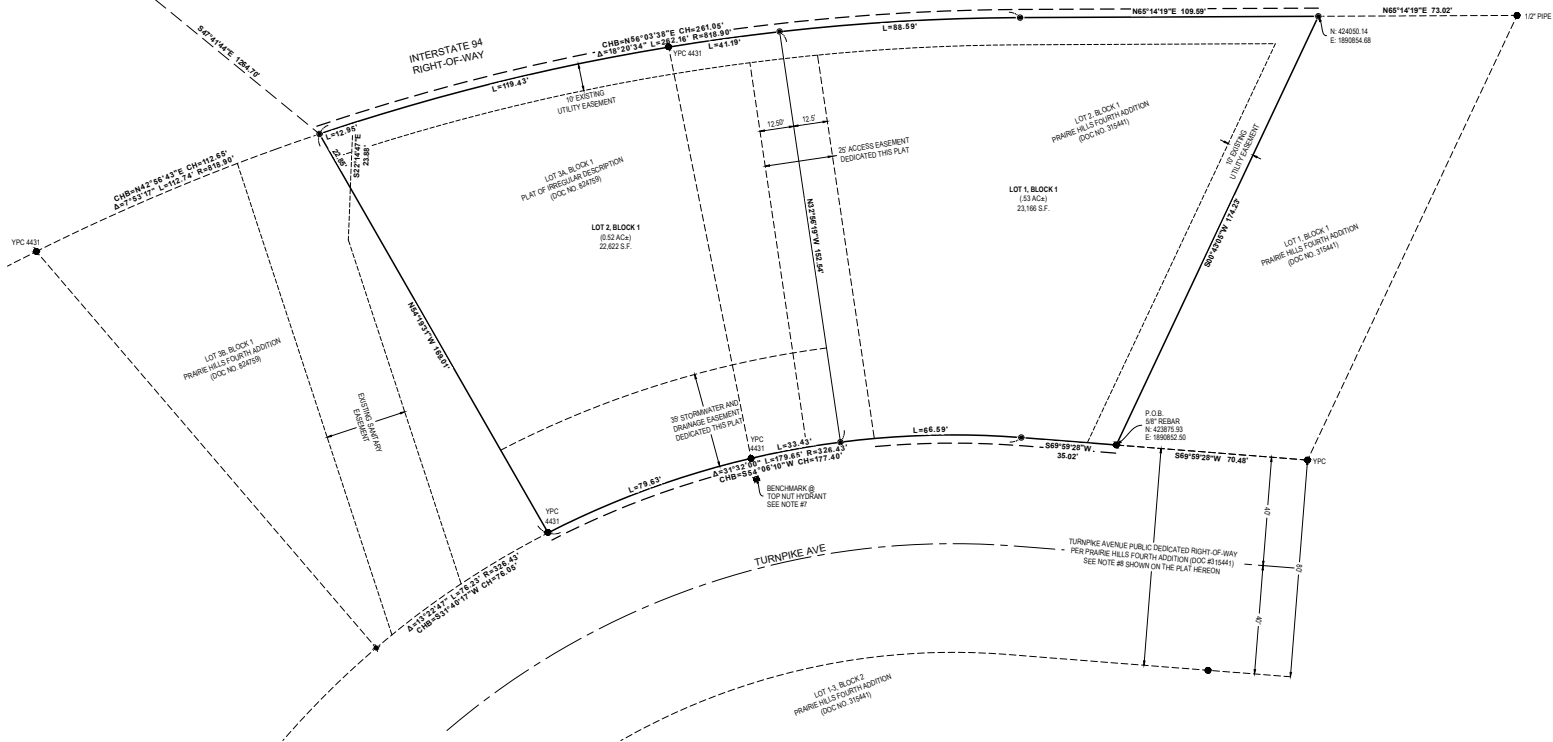
0 140 280 560 Feet



City of Bismarck
Planning Department
February 13, 2026

PRAIRIE HILLS SEVENTH ADDITION

TO THE CITY OF BISMARCK
A REPLAT OF LOT 2, BLOCK 1, PRAIRIE HILLS FOURTH ADDITION,
AND LOT 3A, BLOCK 1, PLAT OF IRREGULAR DESCRIPTION,
IN THE W1/2SW1/4 OF SECTION 29, TOWNSHIP 139 NORTH, RANGE 80 WEST
OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA



LEGEND

- FOUND MONUMENT - AS NOTED
- SET 5/8" REBAR NYC STAMPED "TARNOWSKI LS - 27308"
- ✕ CHISELED "X"
- PLAT BOUNDARY
- - - PROPOSED EASEMENT
- - - PROPOSED LOT LINE
- - - EXISTING LOT LINE
- - - EXISTING EASEMENT
- - - NON-ACCESS LINE

GRAPHIC SCALE IN FEET
SCALE 1"=20' (200X PLAT)
HORIZ. DATUM: NAD83
VERT. DATUM: NAVD83

OWNER:
4P PARTNERS LLC
2008 SCHWARTZ ST., SUITE A
BISMARCK, ND 58001
(701) 223-7333

SURVEYOR:
MICHAEL J. TARNOWSKI, PLS-27308
MOUNTAIN PLAINS LLC
1300 TACOMA AVE., SUITE A
BISMARCK, ND 58004
(701) 957-3368

PLAT NOTES:

- BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENT.
- FIELD SURVEY COMPLETED 8/25/2025.
- SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.
- TOTAL LOTS: 2
- TOTAL PLAT: 1.05 ACRES (+/-)
- ZONING: CG
- 100 YEAR FLOOD PLAIN: FEMA ZONE X, DOCUMENT #807530786, EFFECTIVE DATE: 8/8/2024
- BENCHMARK AT TOP NUT HYDRANT ELEVATION 1785.52 NAVD83, BENCHMARK 81-35 ELEVATION 1782.20 NAVD83
- THOSE PORTIONS OF RIGHT-OF-WAY APPEARING ON THE PLAT HEREON WERE DEDICATED PER PRAIRIE HILLS FOURTH ADDITION (DOC #15441), FILED AUGUST 8TH, 1988.
- FENCES SHALL BE PROVIDED ALONG THE NORTHERN MOST BOUNDARY LINE THAT ADJUTS INTERSTATE 94 RIGHT-OF-WAY, PER CITY OF BISMARCK ZONING ORDINANCE 14-09-06.1.C.5.

LEGAL DESCRIPTION

A REPLAT OF LOTS 2, BLOCK 1 OF PRAIRIE HILLS FOURTH ADDITION, AND LOT 3A, BLOCK 1, OF PLAT OF IRREGULAR DESCRIPTION, LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER (W1/2SW1/4) OF SECTION 29, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2, BLOCK 1, ALSO BEING THE SOUTHWEST CORNER OF LOT 1, BLOCK 1 OF SAID PRAIRIE HILLS FOURTH ADDITION (PER DOC #15441); THENCE ON AND ALONG THE SOUTHLINE OF BLOCK 1 OF SAID PRAIRIE HILLS FOURTH ADDITION THE FOLLOWING TWO COURSES: 88°19'29" W A DISTANCE OF 36.02 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 208.4 FEET, A DELTA ANGLE OF 37°32'02", AN ARC LENGTH OF 179.8 FEET, A CHORD BEARING OF S4°46'19" W AND A CHORD LENGTH OF 177.45 FEET TO THE SOUTHWEST CORNER OF LOT 3B (PER DOC #8429); ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 3A; THENCE N44°19'31" W ON AND ALONG THE WEST LINE OF SAID LOT 3A ALSO BEING THE EAST LINE OF SAID LOT 3B A DISTANCE OF 160.01 FEET TO THE NORTHWEST CORNER OF SAID LOT 3A, ALSO BEING THE NORTHWEST CORNER OF SAID LOT 3B; THENCE ON AND ALONG THE NORTH LINE OF BLOCK 1 OF SAID PRAIRIE HILLS FOURTH ADDITION THE FOLLOWING TWO COURSES: ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 118.80 FEET, A DELTA ANGLE OF 18°29'24", AN ARC LENGTH OF 382.14 FEET, A CHORD BEARING OF N40°20'05" E AND A CHORD LENGTH OF 201.05 FEET; THENCE N0°14'19" E A DISTANCE OF 109.99 FEET TO THE NORTHEAST CORNER OF LOT 2, BLOCK 1, ALSO BEING THE NORTHWEST CORNER OF LOT 1, BLOCK 1 OF SAID PRAIRIE HILLS FOURTH ADDITION; THENCE S0°10'01" W ON AND ALONG THE EAST LINE OF LOT 2, BLOCK 1, ALSO BEING THE WEST LINE OF LOT 1, BLOCK 1 OF SAID PRAIRIE HILLS FOURTH ADDITION A DISTANCE OF 14.23 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 1.05 ACRES, MORE OR LESS, AND SHALL HENCEFORTH BE KNOWN AS PRAIRIE HILLS SEVENTH ADDITION.

SURVEYORS CERTIFICATE

MICHAEL J. TARNOWSKI, HEREBY CERTIFY I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, THAT THIS SURVEY WAS MADE BY ME OR UNDER MY DIRECTION AND SUPERVISION, COMPLETED ON 8/25/2025, AND THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT ALL MONUMENTS AND MARKS SET TOGETHER WITH THOSE FOUND, ARE OF THE CHARACTER AND OCCUPY THE POSITIONS SHOWN THEREON, AND ARE SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRACED.

MICHAEL J. TARNOWSKI
PROFESSIONAL LAND SURVEYOR
N.D. REGISTRATION NO. PLS-27308

DATE

OWNER'S CERTIFICATE AND DEDICATION

WE, THE UNDERSIGNED, BEING ALL THE OWNERS OF THE LANDS PLATTED HEREIN, HAVE CAUSED THE LAND TO BE PLATTED AND DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF THIS PLAT TITLED PRAIRIE HILLS SEVENTH ADDITION AND DO DEDICATE ALL RIGHTS OF WAY SHOWN ON THIS PLAT FOR PUBLIC USE, AND CONSENT TO ANY ACCESS CONTROL TO THE PROPERTY AS SHOWN.

WE ALSO DEDICATE TO THE CITY OF BISMARCK FOR PUBLIC USE ALL EASEMENTS AS SHOWN ON THIS PLAT AS "UTILITY EASEMENT" TO RUN WITH THE LAND FOR GAS, ELECTRIC, COMMUNICATION AND/OR OTHER PUBLIC UTILITIES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON.

WE ALSO DEDICATE TO THE CITY OF BISMARCK FOR PUBLIC USE ALL EASEMENTS AS SHOWN ON THIS PLAT AS "EXISTING SANITARY EASEMENT" TO RUN WITH THE LAND FOR SANITARY SEWER AND/OR OTHER PUBLIC UTILITIES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON.

WE ALSO DEDICATE TO THE CITY OF BISMARCK FOR PUBLIC USE ALL EASEMENTS AS SHOWN ON THIS PLAT AS "STORMWATER & DRAINAGE EASEMENTS" TO RUN WITH THE LAND FOR THE PURPOSE OF ALLOWING THE FREE AND UNOBSTRUCTED FLOW OF WATER UNDER AND/OR OVER THOSE AREAS INCLUDING THE CONSTRUCTION AND MAINTENANCE OF STORMWATER FACILITIES TOGETHER WITH NECESSARY APPURTENANCES.

WE ALSO DEDICATE ALL EASEMENTS AS SHOWN ON THIS PLAT AS "ACCESS EASEMENTS" TO RUN WITH THE LAND FOR USE BY ALL LAND OWNING PARTIES, THEIR TENANTS, VISITORS AND LICENSEES, AND FOR THE USE OF ANY GOVERNMENTAL, USE OR USES, PROVIDED THAT MAINTENANCE AND CLEARANCE OF THE EASEMENT IS THE RESPONSIBILITY OF THE LAND OWNING PARTIES AND THE CITY SHALL NOT BE RESPONSIBLE IN ANY WAY TO FURNISH ANY CITY SERVICES IF SUCH ACCESS EASEMENTS ARE NOT PROPERLY MAINTAINED OR ARE OBSTRUCTED BY THE OWNERS OF PROPERTY IN THE SUBDIVISION.

WE FURTHER GRANT ANY OTHER EASEMENTS OR SERVITUDES AS SHOWN AND THOSE THAT ARE RECORDED BUT NOT SHOWN.

DANIEL SCHWNER, MANAGING MEMBER

STATE OF _____
COUNTY OF _____

ON THIS _____ DAY OF _____, 2025.

BEFORE ME PERSONALLY APPEARED _____ KNOWN TO ME
TO BE THE PERSON(S) DESCRIBED IN AND WHO EXECUTED THE WITHIN CERTIFICATE
AND THEY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC: _____

APPROVAL OF CITY PLANNING AND ZONING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THIS PLAT HAS BEEN APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BISMARCK, NORTH DAKOTA, ON THE _____ DAY OF _____, 2025, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA AND ORDINANCES OF THE CITY OF BISMARCK.

MICHAEL J. SCHWARTZ - CHAIR

ATTEST: DANIEL NARRIN - SECRETARY

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THIS PLAT, HAS APPROVED THE GROUNDS AS SHOWN ON THIS PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS ACCEPTED THE DEDICATION OF ALL RIGHTS OF WAY AND PUBLIC EASEMENTS SHOWN THEREON AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THIS PLAT.

THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS APPROVED
ON THE _____ DAY OF _____, 2025.

MICHAEL J. SCHWARTZ - PRESIDENT

ATTEST: JASON TOMANIK - CITY ADMINISTRATOR

GABRIEL J. SCHIEL - CITY ENGINEER

APPROVAL OF CITY ENGINEER
GABRIEL J. SCHIEL, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVES "PRAIRIE HILLS SEVENTH ADDITION", BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA.

PRAIRIE HILLS FOURTH ADDITION

Part Of The West 1/2 Of The Southwest 1/4 Of Sec. 29, T.139 N., R.80 W.

Bismarck, North Dakota

DESCRIPTION

ALL THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER (W1/2 SW1/4) SECTION TWENTY-NINE (29), TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T. 139 N.), RANGE EIGHTY WEST (R. 80 W.) OF THE FIFTH PRINCIPAL MERIDIAN (5th P.M.), BURLEIGH COUNTY, NORTH DAKOTA THAT LIES WITHIN AND IS BOUNDED BY THE FOLLOWING DESCRIBED TRAVERSE:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER (W1/2 SW1/4) AND THE SOUTH RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NUMBER NINETY-FOUR (I-94) THENCE BEARING SOUTH ZERO DEGREES, FIFTY-ONE MINUTES AND THREE SECONDS WEST (S. 0° 51' 03" W.), ALONG SAID EAST LINE, A DISTANCE OF ONE THOUSAND TWO HUNDRED TWELVE AND FORTY-ONE HUNDREDTHS (1212.41) FEET TO THE NORTHEAST CORNER OF PRAIRIE HILLS THIRD ADDITION TO THE CITY OF BISMARCK, NORTH DAKOTA; THENCE BEARING SOUTH EIGHTY-SEVEN DEGREES, EIGHT MINUTES AND TWENTY-ONE SECONDS WEST (S. 87° 08' 21" W.), A DISTANCE OF TWO HUNDRED TWENTY-TWO AND FIFTY HUNDREDTHS (222.50) FEET TO THE NORTHWEST CORNER OF PRAIRIE HILLS THIRD ADDITION; THENCE BEARING SOUTH ONE DEGREE, ELEVEN MINUTES AND FOUR SECONDS WEST (S. 1° 11' 04" W.), ALONG THE WEST LINE OF SAID PRAIRIE HILLS THIRD ADDITION, A DISTANCE OF FOUR HUNDRED EIGHT AND FIFTY-EIGHT HUNDREDTHS (408.81) FEET TO THE CENTERLINE OF DIVIDE AVENUE (FORMERLY KNOWN AS WARD ROAD) RIGHT-OF-WAY; THENCE BEARING NORTH FIFTY-SEVEN DEGREES, THIRTY-SIX MINUTES AND TWENTY SECONDS WEST (N. 57° 36' 20" W.) ALONG THE CENTERLINE OF SAID DIVIDE AVENUE RIGHT-OF-WAY, A DISTANCE OF SEVEN HUNDRED TWENTY-SIX AND SEVENTY-NINE HUNDREDTHS (726.79) FEET TO THE I-94 AND DIVIDE AVENUE INTERCHANGE RIGHT-OF-WAY; THENCE BEARING NORTH THIRTY-TWO DEGREES, TWENTY-THREE MINUTES AND FORTY SECONDS EAST (N. 32° 23' 40" E.), ALONG SAID INTERCHANGE RIGHT-OF-WAY, A DISTANCE OF THIRTY-THREE (33.00) FEET; THENCE BEARING NORTH FIFTY-SEVEN DEGREES, THIRTY-SIX MINUTES AND TWENTY SECONDS WEST (N. 57° 36' 20" W.), CONTINUING ALONG SAID INTERCHANGE RIGHT-OF-WAY, A DISTANCE OF NINETY-EIGHT AND FORTY-FOUR HUNDREDTHS (98.44) FEET; THENCE BEARING NORTH THIRTY-FIVE DEGREES, FIFTY-THREE MINUTES AND SIXTEEN SECONDS EAST (N. 35° 53' 16" E.), CONTINUING ALONG SAID INTERCHANGE RIGHT-OF-WAY, A DISTANCE OF SEVENTY-FIVE (75.00) FEET; THENCE BEARING NORTH FIFTY-FOUR DEGREES, SIX MINUTES AND FORTY-FOUR SECONDS WEST (N. 54° 06' 44" W.), A DISTANCE OF ONE HUNDRED TWENTY-FIVE (125.00) FEET TO THE SOUTH LINE OF THE I-94 RIGHT-OF-WAY; THENCE BEARING NORTH THIRTY-FIVE DEGREES, FIFTY-THREE MINUTES AND SIXTEEN SECONDS EAST (N. 35° 53' 16" E.), ALONG SAID SOUTH RIGHT-OF-WAY LINE OF I-94, A DISTANCE OF EIGHT HUNDRED FORTY-EIGHT AND FORTY-SEVEN HUNDREDTHS (848.47) FEET; THENCE BEARING NORTHEAST AND TO THE RIGHT, CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE OF I-94 ON A CURVE HAVING A RADIUS OF EIGHT HUNDRED NINETEEN AND TWO HUNDREDTHS (819.02) FEET, AN ARC LENGTH OF FOUR HUNDRED TWENTY AND SIXTY-NINE HUNDREDTHS (420.69) FEET; THENCE BEARING NORTH SIXTY-FIVE DEGREES, NINETEEN MINUTES AND FOUR SECONDS EAST (N. 65° 19' 04" E.), ALONG SAID I-94 RIGHT-OF-WAY, A DISTANCE OF ONE HUNDRED EIGHTY-TWO AND NINETY-ONE HUNDREDTHS (182.91) FEET TO THE POINT OF BEGINNING, LESS ALL THAT PART PREVIOUSLY DEDICATED FOR PUBLIC RIGHT-OF-WAY.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS TWENTY AND TWENTY-TWO HUNDREDTHS (20.22) ACRES, MORE OR LESS.

APPROVAL OF CITY ENGINEER

I, RAYMOND J. JUNDT, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE "PRAIRIE HILLS FOURTH ADDITION" AS SHOWN ON THE ANNEXED PLAT.

RAYMOND J. JUNDT, CITY ENGINEER

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON AND HAS APPROVED THE GROUNDS AS SHOWN ON THE ANNEXED PLAT AS AN ANNEXMENT PLAT TO THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA.

THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE 5 DAY OF August, 1980.

ATTEST: TOM BAKER - CITY AUDITOR

APPROVAL OF CITY PLANNING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF BISMARCK ON THE 14 DAY OF August, 1980, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK AND REGULATIONS ADOPTED BY THE SAID PLANNING COMMISSION. IN WITNESS WHEREOF ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF BISMARCK.

John A. Zuger

JOHN A. ZUGER - VICE CHAIRMAN

W. C. WOCKEN - SECRETARY

SURVEYOR'S CERTIFICATE

I, HARLEY SWENSON, A REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR IN THE STATE OF NORTH DAKOTA HEREBY CERTIFY THAT THE ANNEXED PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON MARCH 3, 1980, AND THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SWENSON, HAGEN & COMPANY
CONSULTING ENGINEERS
809 BASIN AVENUE, BOX 1135
BISMARCK, NORTH DAKOTA 58501

HARLEY SWENSON
REGISTERED PROFESSIONAL ENGINEER
& LAND SURVEYOR
REGISTRATION NO. 951



OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT CHRISTINE COOK, L. E. ANDERSON AND MONTANA-DAKOTA UTILITIES CO., BEING THE OWNERS AND PROPRIETORS OF THE PROPERTY SHOWN ON THE ANNEXED PLAT HAVE CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "PRAIRIE HILLS FOURTH ADDITION" AND DO SO SHOW CROWN STREETS AS SHOWN HEREON INCLUDING ALL SEWER, CULVERTS, WATER AND GAS DISTRIBUTION LINES AND OTHER PUBLIC UTILITY LINES, WHETHER SHOWN HEREON OR NOT, TO THE PUBLIC USE FOREVER.

THEY ALSO DEDICATE EASEMENTS TO RUN WITH THE LAND, FOR GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS "UTILITY EASEMENTS".

Christine Cook
Christine Cook
State of North Dakota
County of Burleigh
ON THIS 5 DAY OF August, 1980, BEFORE ME PERSONALLY APPEARED CHRISTINE COOK, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME.

L. E. ANDERSON
Purchaser Under Contract For Deed
From Christine Cook

J. A. SCHUCHART, PRESIDENT
Owner of Lot 1, Block 1
Lot 6, Block 2
Lot 1, Block 3

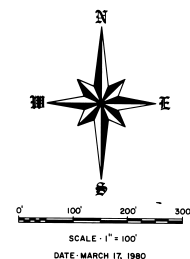
DONNA VOGEL
NOTARY PUBLIC
MY COMMISSION EXPIRES: 4-11-1993

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH
ON THIS 5 DAY OF August, 1980, BEFORE ME PERSONALLY APPEARED L. E. ANDERSON, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

DONNA VOGEL
NOTARY PUBLIC
MY COMMISSION EXPIRES: 4-27-1993

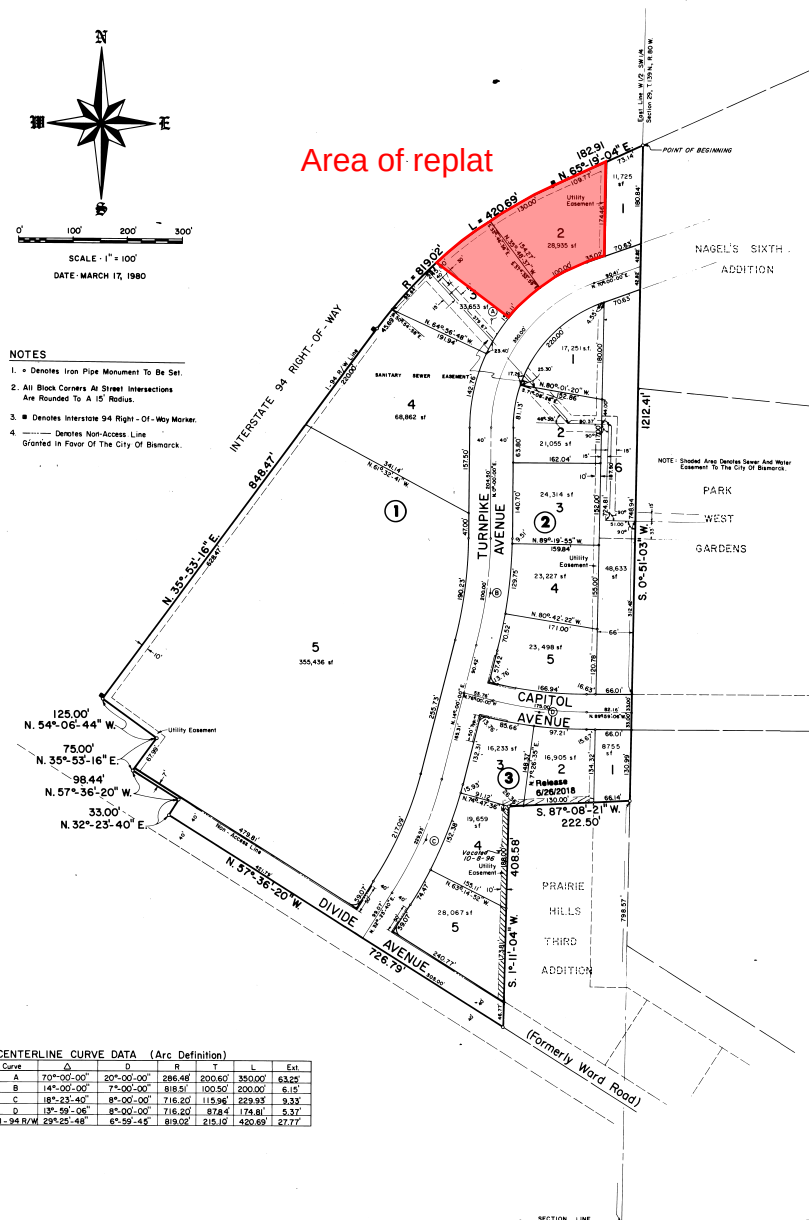
STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH
ON THIS 5 DAY OF August, 1980, BEFORE ME PERSONALLY APPEARED J. A. SCHUCHART, KNOWN TO ME TO BE THE PRESIDENT OF THE CORPORATION THAT IS DESCRIBED IN AND WHO EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

MY COMMISSION EXPIRES: - NOTARY PUBLIC



NOTES

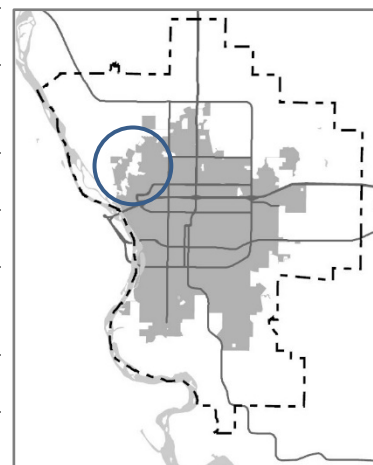
1. * Denotes Iron Pipe Monument To Be Set.
2. All Block Corners At Street Intersections Are Rounded To A 15' Radius.
3. * Denotes Interstate 94 Right-Of-Way Marker.
4. — Denotes Non-Access Line Granted In Favor Of The City Of Bismarck.



Curve	A	D	R	T	Ext.
A	70°-00'-00"	20°-00'-00"	286.48	200.00	350.00
B	14°-00'-00"	7°-00'-00"	818.51	100.50	200.00
C	18°-23'-40"	8°-00'-00"	716.00	115.96	229.93
D	32°-59'-06"	8°-00'-00"	716.00	87.64	174.81
E	34°-59'-48"	8°-00'-00"	819.02	215.12	420.69

Project Summary

<i>Title:</i>	Hay Creek Township, Part of Sections 19 and 20
<i>Status:</i>	Planning and Zoning Commission – Final Consideration
<i>Property Owner(s):</i>	City of Bismarck
<i>Project Contact:</i>	Gabe Schell, PE, City Engineer
<i>Project Location:</i>	In northwest Bismarck, east of Clairmont Road, north of Valley Drive and East Valley Drive
<i>Project Size:</i>	54.13 acres, more or less
<i>Applicant Request:</i>	Annex unplatted property within Tyler Coulee for stormwater detention & road improvement project
<i>Staff Recommendation:</i>	Approve



Site Information

<i>Existing Conditions</i>		<i>Proposed Conditions</i>	
<i>Lots/Blocks:</i>	2 unplatted parcels	<i>Lots/Blocks:</i>	No change
<i>Land Use:</i>	Undeveloped open space	<i>Land Use:</i>	No change
<i>Future Land Use:</i>	Parks and Open Space (PKOS) Urban Neighborhood (UN)	<i>Future Land Use:</i>	No change
<i>Zoning:</i>	A – Agricultural R5 – Residential R10 – Residential	<i>Zoning:</i>	No change
<i>Uses Allowed:</i>	A – Agriculture R5 – Single-family residential R10 – Single- & two-family residential	<i>Uses Allowed:</i>	No change
<i>Max Density:</i>	A – 1 unit / 40 acres R5 – 5 units / acre R10 – 10 units / acre	<i>Max Density:</i>	No change

Area Information

Property History

<i>Zoning Jurisdiction:</i>	Bismarck City Limits	<i>Zoned:</i>	04/1994 (R5) & 11/1999 (R10)
<i>Township:</i>	Hay Creek (organized)	<i>Platted:</i>	N/A
<i>Neighborhood:</i>	Elk Ridge & Eagle Crest	<i>Annexed:</i>	N/A

(continued)

Project Narrative

The City of Bismarck is requesting approval of an annexation of part of the South ½ of Section 19, T139N-R80W/Hay Creek Township pursuant to Document #975320 and Auditor's Lot B1 of the West ½ of Section 20, T139N-R80W/Hay Creek Township pursuant to Document #727447.

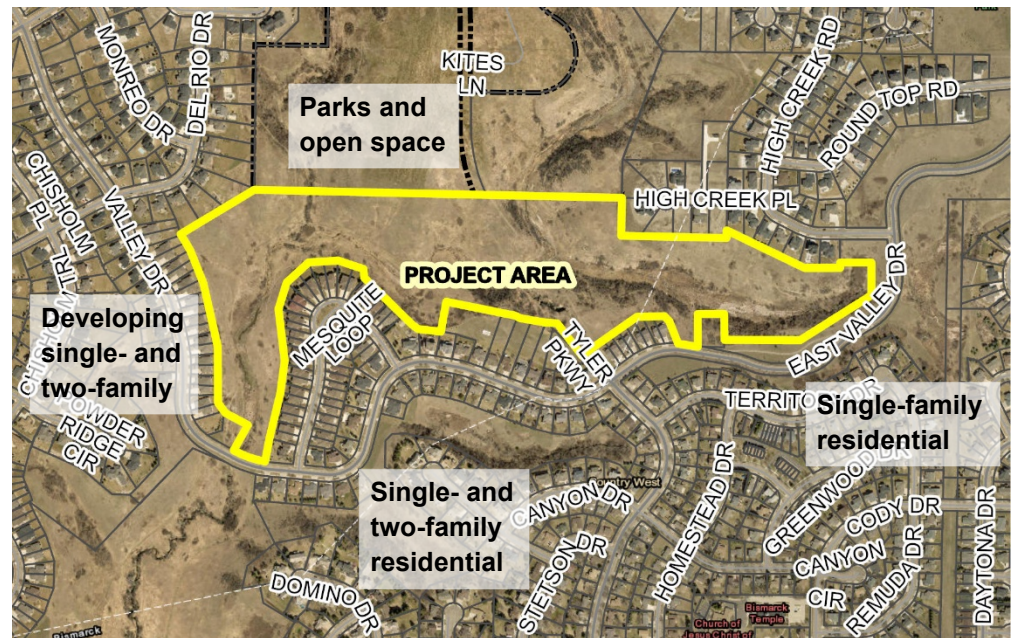
The City of Bismarck wishes to annex the referenced land due to its association with a stormwater detention construction and roadway improvement project.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:

A Zoning and Plan Reference Map is attached to this staff report, including current zoning, the Future Land Use Plan, Major Street Plan, and Active Mobility Plan.

A Growth Phasing Plan Map is also attached to this staff report, showing prioritization for extension of the Bismarck city limits.



The property has been identified as Parks and Open Space (PKOS) and Urban Neighborhood (UN) in the Future Land Use Plan. The PKOS areas are places that are largely kept in a natural state, providing many important functions for the community and ecosystem, and the UN areas are places for the quiet enjoyment of home life. Goals and objectives of this plan as they relate to annexations are referenced in review standards below.

Adjacent uses include a mix of parks and developing single- and two-family residential.

Public Engagement

Annexations do not have a public hearing before the Planning and Zoning Commission. The public will be notified of this request before it is heard by the City Commission, as will Burleigh County and Hay Creek Township in accordance with the provisions of Section 40-51.2-05 of the North Dakota Century Code.

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Open Development Projects Dashboard and Community Development Activities map.

(continued)

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

The Growth Phasing Plan is adhered to with the proposed annexation ([Growth Phasing Plan](#))

Yes. The proposed annexation incorporates land that is within the Urban Service Area Boundary and has been designated as Urban Service Area Priority.

Adequate public facilities are or will be available to serve the annexed properties completely and equitably ([Goal G3-b](#), [Goal G3-c](#))

Yes. The City of Bismarck and/or other agencies would be able to provide necessary public services, facilities and programs to serve any development allowed by the annexation at the time the property is developed.

The proposed annexation is a logical and contiguous extension of the current corporate limits of the City of Bismarck ([Goal G2-b](#), [NDCC 40-51.2-03](#))

Yes. The area proposed annexation is clearly contiguous to the existing corporate boundaries. Approximately 90% of the proposed annexation's perimeter adjoins corporate limits. Generally, any proportion greater than 20% is considered unambiguously contiguous.

Proper administrative procedures related to the request are being followed ([NDCC 40-51.2](#))

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. A written petition for the proposed annexation was submitted to the Planning Department, which has been deemed valid by City staff. A public hearing, subject to all notice requirements, would be held with the City Commission.

The public health, safety and general welfare will not be adversely impacted by the proposed annexation ([Goal S10-a](#))

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed annexation would not adversely impact the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of an annexation of part of the South 1/2 of Section 19, T139N-R80W/Hay Creek Township pursuant to Document #975320 and Auditor's Lot B1 of the West 1/2 of Section 20, T139N-R80W/Hay Creek Township pursuant to Document #727447.

Attachments

1. Draft Annexation Ordinance
2. Zoning and Plan Reference Map
3. Growth Phasing Plan Map
4. Document #975320
5. Document #727447

Staff report prepared by: Lauren Oster, Planner

701-355-1846 | laoster@bismarcknd.gov

CITY OF BISMARCK

ORDINANCE NO. XXXX

First Reading

Second Reading

Final Passage and Adoption

AN ORDINANCE ANNEXING PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, DECLARING THE TERRITORY ANNEXED; DECLARING THE SAME TO BE A PART OF THE CORPORATE LIMITS OF SAID CITY.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA:

Section 1. Territory Annexed. The territory and land hereinafter described is hereby declared and found to be a part of the corporate limits of the City of Bismarck, Burleigh County, North Dakota, as follows:

Part of the South 1/2 of Section 19, T139N-R80W/Hay Creek Township of the Fifth Principal Meridian, Burleigh County, North Dakota, pursuant to Document #975320.

and

Auditor's Lot B1 of the West 1/2 of Section 20, T139N-R80W/Hay Creek Township of the Fifth Principal Meridian, Burleigh County, North Dakota, pursuant to the Plat filed for record as Document #727447.

The above described tracts of land contains 54.13 acres, more or less.

Section 2. Provisions Applicable. From and after the final passage and adoption of this ordinance and upon recording of this ordinance with the Burleigh County Recorder, the territory herein described shall be a part of the corporate limits of the City of Bismarck, North Dakota.

Zoning Districts

A	Agriculture
RR	Rural
R5	Residential
RMH	Manufactured Home Residential
R10	Residential
RM	Residential Multifamily
RT	Residential (Offices)
HM	Health and Medical
CA	Commercial
CG	Commercial
MA	Industrial
MB	Industrial
PUD	Planned Unit Development
DC	Downtown Core
DF	Downtown Fringe

Future Land Use Plan

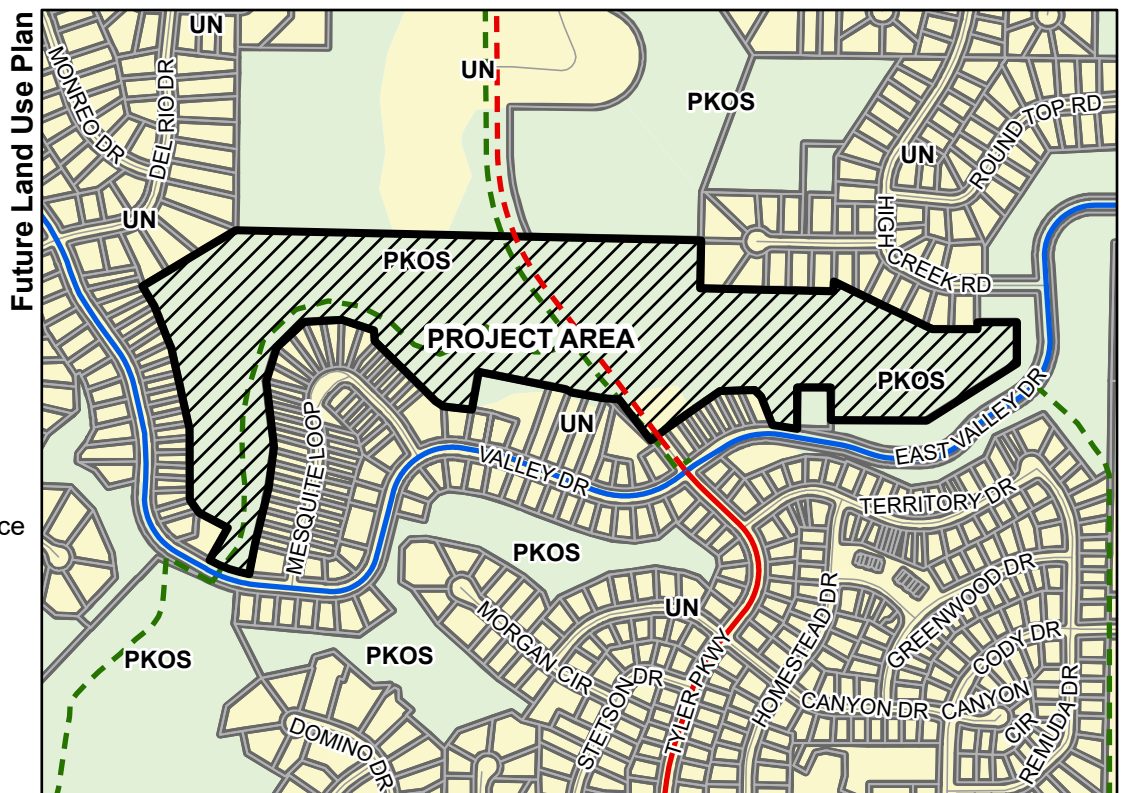
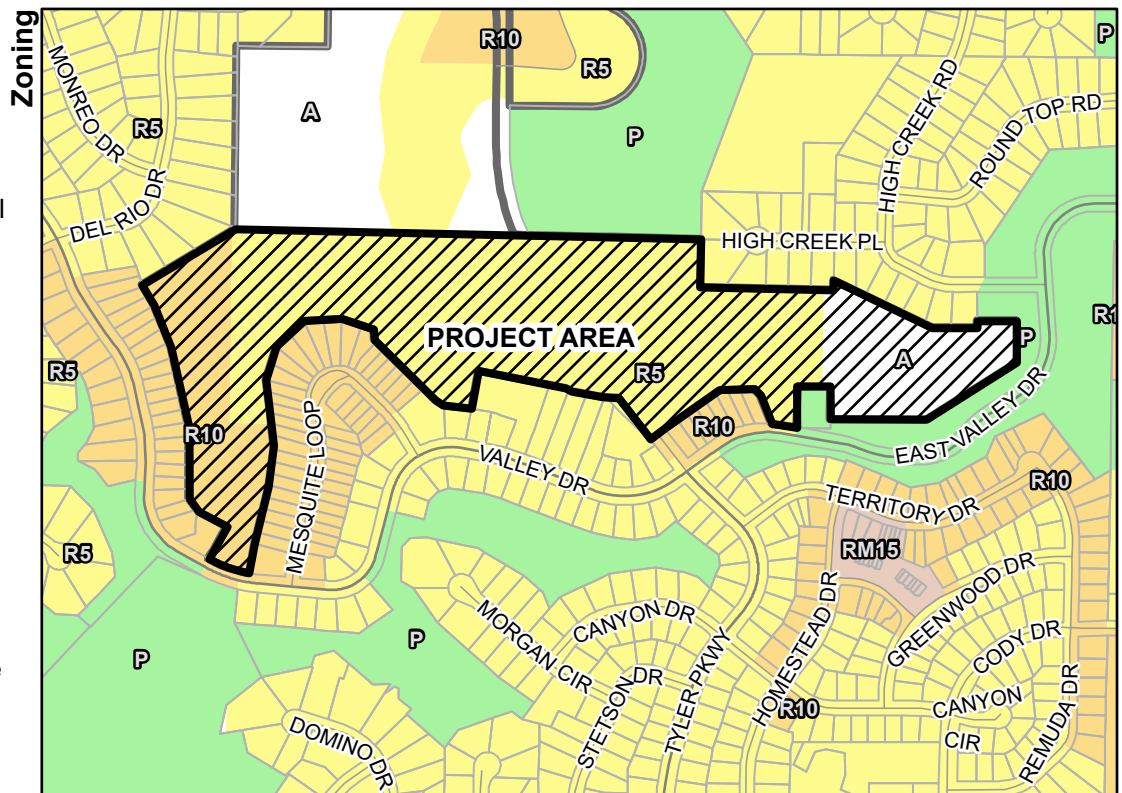
UN	Urban
NMU	Neighborhood Mixed Use
CMU	Community Mixed Use
DMU	Destination Mixed Use
DT	Downtown
IND	Industrial
IF	Industrial Flex
IMU	Industrial Mixed Use
INS	Institutional
RR	Rural
TR	Transitional Rural
PKOS	Parks/Open Space
URA/	Urban Reserve
URB	Mid/Long-Term

Active Mobility Plan

— Future Shared Trail

Major Street Plan

—	Existing Arterial
- - -	Future Arterial
—	Existing Collector
- - -	Future Collector
—	Existing Interstate
- - -	Future Interstate
—	City Limits

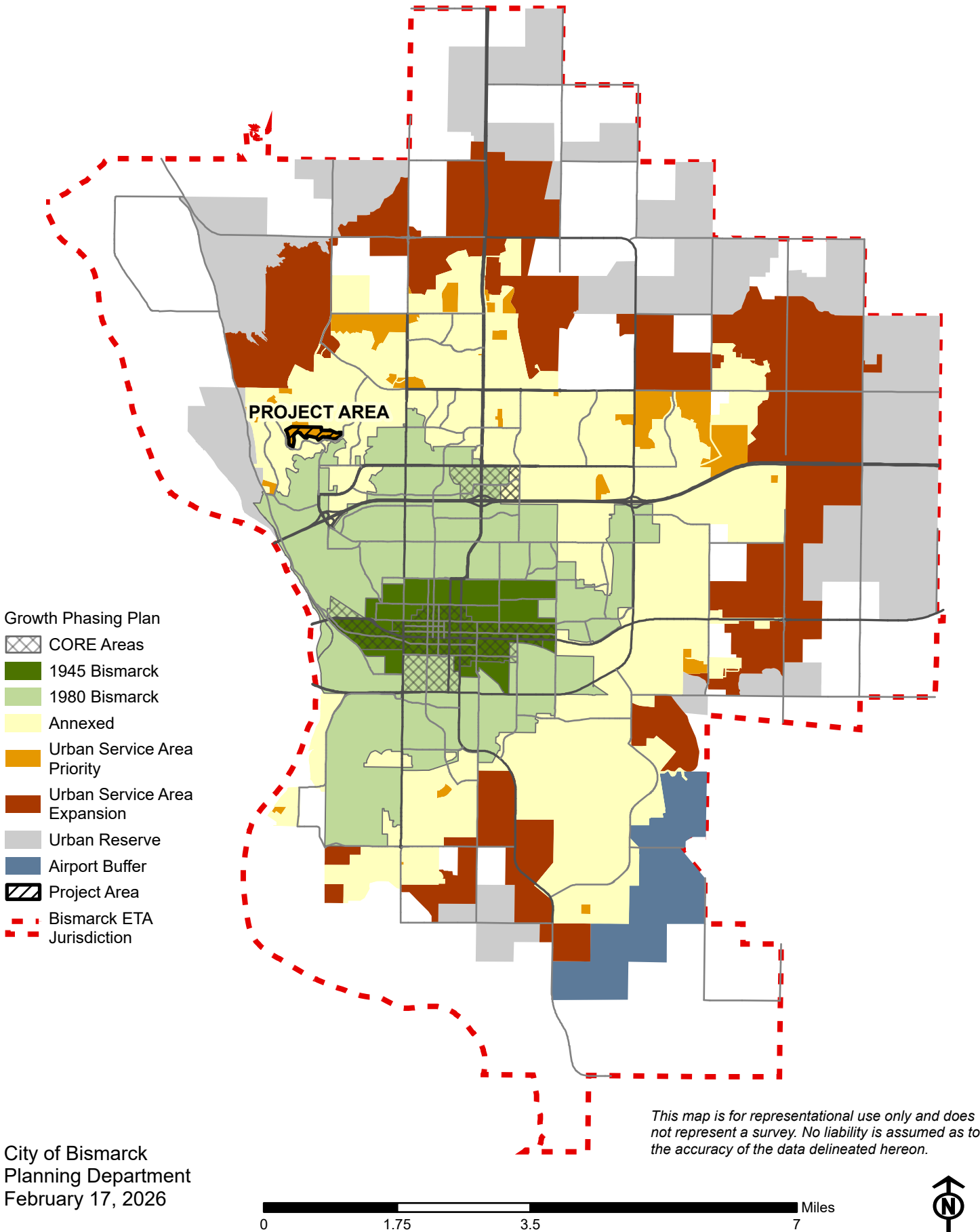


This map is for representational use only and does not represent a survey.
No liability is assumed as to the accuracy of the data delineated herein.

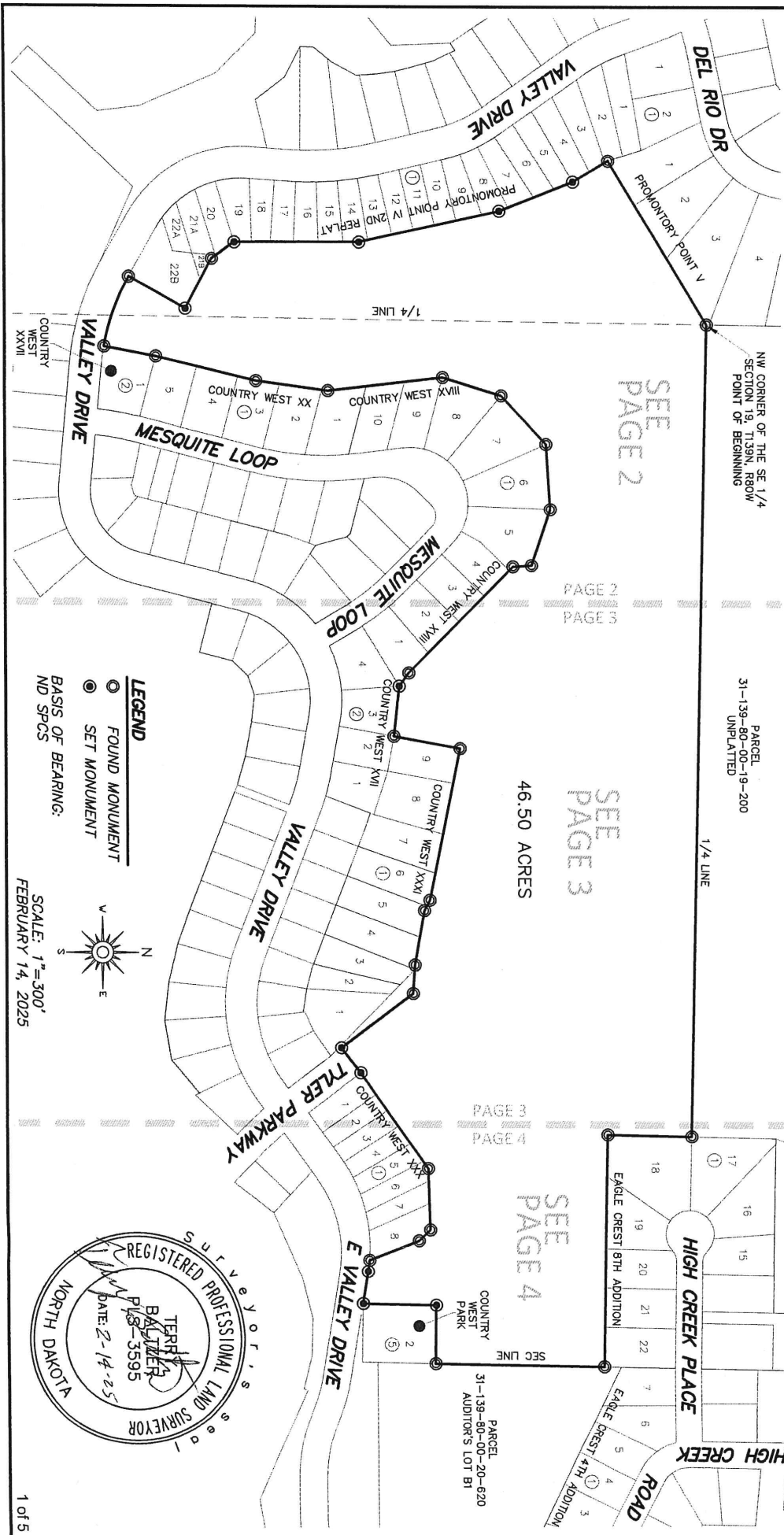
0 600 1,200 2,400 Feet



City of Bismarck
Planning Department
February 13, 2026

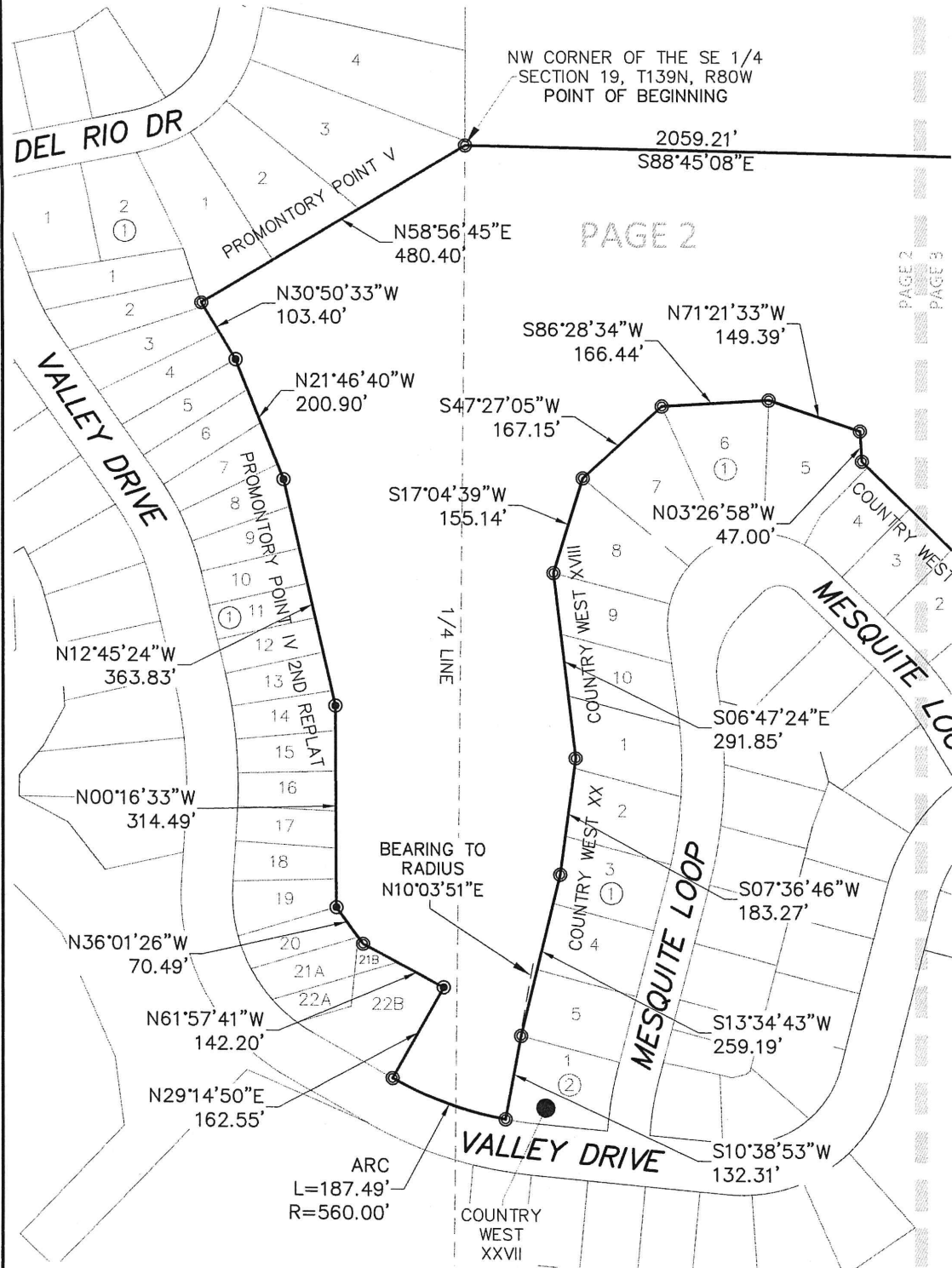


CERTIFICATE OF SURVEY
 PART OF THE SOUTH 1/2 OF SECTION 19, TOWNSHIP 139 NORTH, RANGE 80
 WEST, BURLEIGH COUNTY, NORTH DAKOTA



CERTIFICATE OF SURVEY

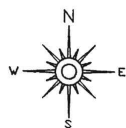
PART OF THE SOUTH 1/2 OF SECTION 19, TOWNSHIP 139 NORTH, RANGE 80 WEST, BURLEIGH COUNTY, NORTH DAKOTA



LEGEND

- FOUND MONUMENT
- SET MONUMENT

BASIS OF BEARING:
ND SPCS



SCALE: 1"=200'
FEBRUARY 14, 2025



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Civil Engineering
Landscape & Site Design
Construction Management

3002 Airway Avenue
Bismarck, North Dakota 58504
sheng@swensonhagen.com
Phone (701) 223-2600
Fax (701) 223-2606



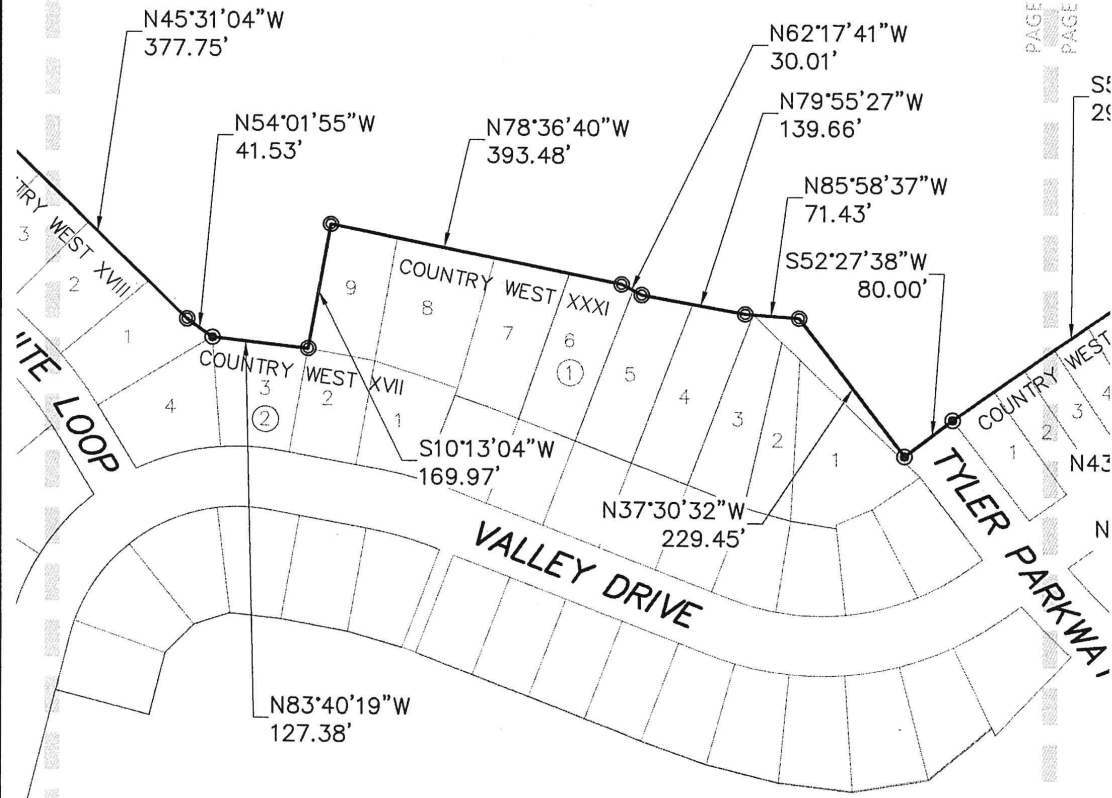
CERTIFICATE OF SURVEY

PART OF THE SOUTH 1/2 OF SECTION 19, TOWNSHIP 139 NORTH, RANGE 80 WEST, BURLEIGH COUNTY, NORTH DAKOTA

PARCEL
31-139-80-00-19-200
UNPLATTED

2059.21' 1/4 LINE
S88°45'08"E

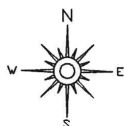
PAGE 3



LEGEND

- FOUND MONUMENT
- SET MONUMENT

BASIS OF BEARING:
ND SPCS



SCALE: 1"=200'
FEBRUARY 14, 2025



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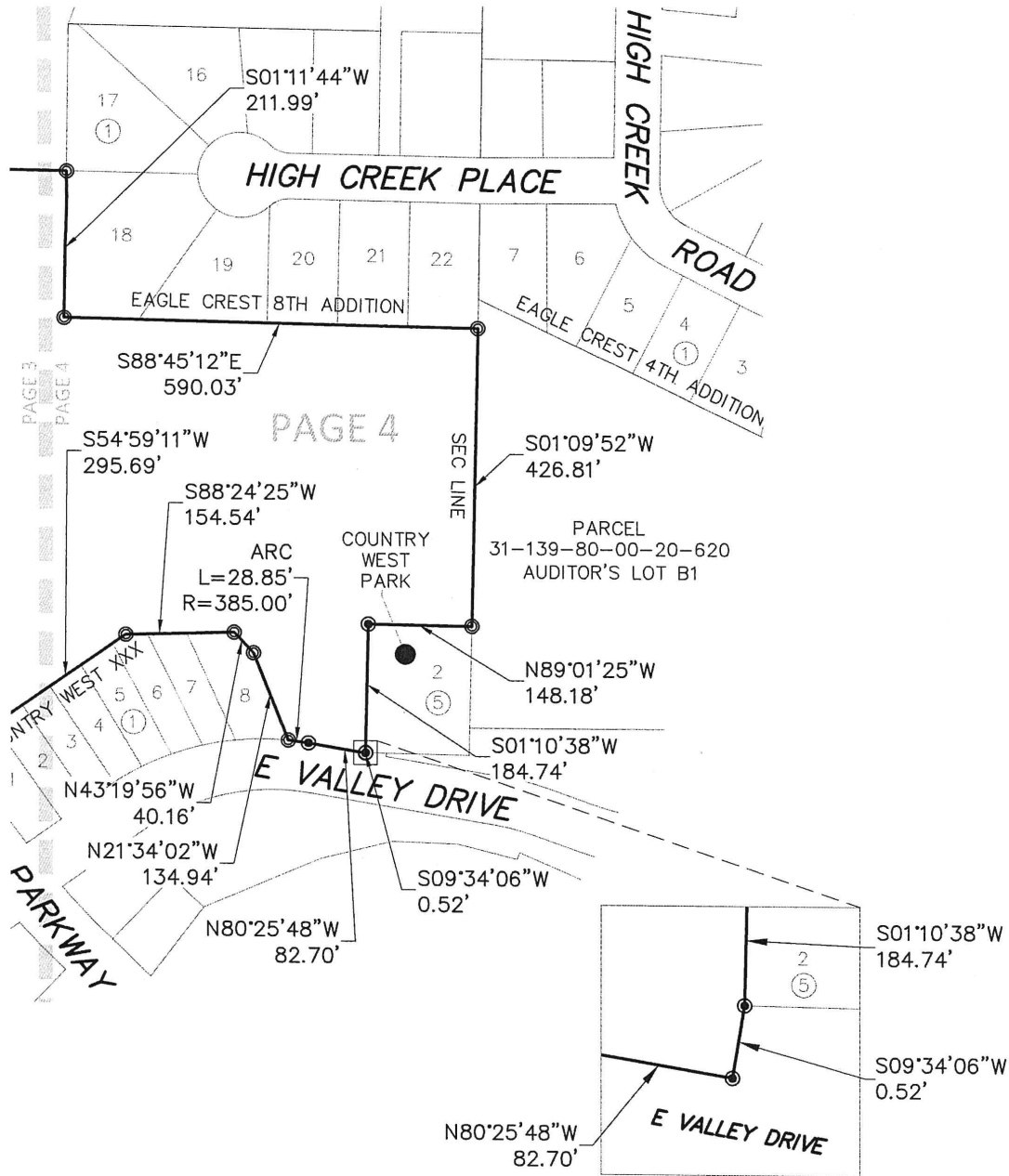
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CERTIFICATE OF SURVEY

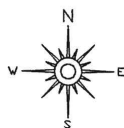
PART OF THE SOUTH 1/2 OF SECTION 19, TOWNSHIP 139 NORTH, RANGE 80
WEST, BURLEIGH COUNTY, NORTH DAKOTA



LEGEND

- FOUND MONUMENT
- SET MONUMENT

BASIS OF BEARING:
ND SPCS



SCALE: 1"=200'
FEBRUARY 14, 2025



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Fax (701) 223-2606



DESCRIPTION:

ALL THAT PART OF THE SOUTH 1/2 OF SECTION 19, TOWNSHIP 139 NORTH, RANGE 80 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 19; THENCE SOUTH 88 DEGREES 45 MINUTES 08 SECONDS EAST, ON THE NORTH LINE OF SAID SOUTHEAST 1/4, A DISTANCE OF 2059.21 FEET TO THE WEST LINE OF EAGLE CREST EIGHTH ADDITION TO THE CITY OF BISMARCK; THENCE SOUTH 01 DEGREE 11 MINUTES 44 SECONDS WEST, ON SAID WEST LINE, A DISTANCE OF 211.99 FEET TO THE SOUTH LINE OF SAID EAGLE CREST EIGHTH ADDITION; THENCE SOUTH 88 DEGREES 45 MINUTES 12 SECONDS EAST, ON SAID SOUTH LINE, A DISTANCE OF 590.03 FEET TO THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 19; THENCE SOUTH 01 DEGREE 09 MINUTES 52 SECONDS WEST, ON SAID EAST LINE, A DISTANCE OF 426.81 FEET TO THE NORTH LINE OF LOT 2 BLOCK 5 COUNTRY WEST PARK ADDITION TO THE CITY OF BISMARCK; THENCE NORTH 89 DEGREES 01 MINUTE 25 SECONDS WEST, ON SAID NORTH LINE, A DISTANCE OF 148.18 FEET TO THE WEST LINE OF SAID LOT 2; THENCE SOUTH 01 DEGREE 10 MINUTES 38 SECONDS WEST, ON SAID WEST LINE, A DISTANCE OF 184.74 FEET TO THE NORTH RIGHT OF WAY LINE OF EAST VALLEY DRIVE; THENCE SOUTH 09 DEGREES 34 MINUTES 06 SECONDS WEST, ON SAID NORTH LINE, A DISTANCE OF 0.52 FEET; THENCE NORTH 80 DEGREES 25 MINUTES 48 SECONDS WEST, CONTINUING ON SAID NORTH LINE, A DISTANCE OF 82.70 FEET; THENCE, CONTINUING ON SAID NORTH LINE, NORTHWESTERLY AND TO THE LEFT ON A 385.00 FOOT RADIUS CURVE, AN ARC LENGTH OF 28.85 FEET TO THE EAST LINE OF COUNTRY WEST XXX ADDITION TO THE CITY OF BISMARCK; THENCE NORTH 21 DEGREES 34 MINUTES 02 SECONDS WEST, ON SAID EAST LINE, A DISTANCE OF 134.94 FEET; THENCE CONTINUING ON SAID EAST LINE, NORTH 43 DEGREES 19 MINUTES 56 SECONDS WEST, A DISTANCE OF 40.16 FEET TO THE NORTH LINE OF SAID COUNTRY WEST XXX; THENCE SOUTH 88 DEGREES 24 MINUTES 25 SECONDS WEST, ON SAID NORTH LINE, A DISTANCE OF 154.54 FEET; THENCE, CONTINUING ON SAID NORTH LINE, SOUTH 54 DEGREES 59 MINUTES 11 SECONDS WEST, A DISTANCE OF 295.69 FEET; THENCE, CONTINUING ON SAID NORTH LINE, SOUTH 52 DEGREES 27 MINUTES 38 SECONDS WEST, A DISTANCE OF 80.00 FEET TO THE EAST LINE OF COUNTRY WEST XXXI ADDITION TO THE CITY OF BISMARCK; THENCE NORTH 37 DEGREES 30 MINUTES 32 SECONDS WEST, ON SAID EAST LINE, A DISTANCE OF 229.45 FEET TO THE NORTH LINE OF SAID COUNTRY WEST XXXI; THENCE NORTH 85 DEGREES 58 MINUTES 37 SECONDS WEST, ON SAID NORTH LINE, A DISTANCE OF 71.43 FEET; THENCE, CONTINUING ON SAID NORTH LINE, NORTH 79 DEGREES 55 MINUTES 27 SECONDS WEST, A DISTANCE OF 139.66 FEET; THENCE, CONTINUING ON SAID NORTH LINE, NORTH 62 DEGREES 17 MINUTES 41 SECONDS WEST, A DISTANCE OF 30.01 FEET; THENCE, CONTINUING ON SAID NORTH LINE, NORTH 78 DEGREES 36 MINUTES 40 SECONDS WEST, A DISTANCE OF 393.48 FEET TO THE WEST LINE OF SAID COUNTRY WEST XXXI ADDITION; THENCE SOUTH 10 DEGREES 13 MINUTES 04 SECONDS WEST, A DISTANCE OF 169.97 FEET TO THE NORTH LINE OF LOT 3 BLOCK 2 OF COUNTRY WEST XVII ADDITION TO THE CITY OF BISMARCK; THENCE NORTH 83 DEGREES 40 MINUTES 19 SECONDS WEST, ON SAID NORTH LINE, A DISTANCE OF 127.38 FEET TO THE BOUNDARY OF COUNTRY WEST XVIII ADDITION TO THE CITY OF BISMARCK; THENCE NORTH 54 DEGREES 01 MINUTE 55 SECONDS WEST, ON SAID BOUNDARY, A DISTANCE OF 41.53 FEET; THENCE, CONTINUING ON SAID BOUNDARY, NORTH 45 DEGREES 31 MINUTES 04 SECONDS WEST, A DISTANCE OF 377.75 FEET; THENCE, CONTINUING ON SAID BOUNDARY NORTH 03 DEGREES 26 MINUTES 58 SECONDS WEST, A DISTANCE OF 47.00 FEET; THENCE, CONTINUING ON SAID BOUNDARY, NORTH 71 DEGREES 21 MINUTES 33 SECONDS WEST, A DISTANCE OF 149.39 FEET; THENCE, CONTINUING ON SAID BOUNDARY, SOUTH 86 DEGREES 28 MINUTES 34 SECONDS WEST, A DISTANCE OF 166.44 FEET; THENCE, CONTINUING ON SAID BOUNDARY, SOUTH 47 DEGREES 27 MINUTES 05 SECONDS WEST, A DISTANCE OF 167.15 FEET; THENCE, CONTINUING ON SAID BOUNDARY, SOUTH 17 DEGREES 04 MINUTES 39 SECONDS WEST, A DISTANCE OF 155.14 FEET; THENCE, CONTINUING ON SAID BOUNDARY AND THE WEST LINE OF COUNTRY WEST XX ADDITION TO THE CITY OF BISMARCK, SOUTH 06 DEGREES 47 MINUTES 24 SECONDS EAST, A DISTANCE OF 291.85 FEET; THENCE, CONTINUING ON THE WEST LINE OF SAID COUNTRY WEST XX, SOUTH 07 DEGREES 36 MINUTES 46 SECONDS WEST, A DISTANCE OF 183.27 FEET; THENCE, CONTINUING ON SAID WEST LINE, SOUTH 13 DEGREES 34 MINUTES 43 SECONDS WEST, A DISTANCE OF 259.19 FEET TO THE WEST LINE OF LOT 1 BLOCK 2 OF COUNTRY WEST XXVII ADDITION TO THE CITY OF BISMARCK; THENCE SOUTH 10 DEGREES 38 MINUTES 53 SECONDS WEST, ON SAID WEST LINE, A DISTANCE OF 132.31 FEET TO THE NORTH RIGHT OF WAY LINE OF VALLEY DRIVE; THENCE, ON SAID RIGHT OF WAY LINE, NORTHWESTERLY AND TO THE RIGHT ON A 560.00 FOOT RADIUS CURVE, THE RADIUS OF WHICH BEARS NORTH 10 DEGREES 03 MINUTES 51 SECONDS EAST, AN ARC LENGTH OF 187.49 FEET TO THE EAST LINE OF PROMONTORY POINT IV SECOND REPLAT ADDITION TO THE CITY OF BISMARCK; THENCE NORTH 29 DEGREES 14 MINUTES 50 SECONDS EAST, ON SAID EAST LINE, A DISTANCE OF 162.55 FEET; THENCE CONTINUING ON SAID EAST LINE, NORTH 61 DEGREES 57 MINUTES 41 SECONDS WEST, A DISTANCE OF 142.20 FEET; THENCE, CONTINUING ON SAID EAST LINE, NORTH 36 DEGREES 01 MINUTE 26 SECONDS WEST, A DISTANCE OF 70.49 FEET; THENCE, CONTINUING ON SAID EAST LINE, NORTH 00 DEGREES 16 MINUTES 33 SECONDS WEST, A DISTANCE OF 314.49 FEET; THENCE, CONTINUING ON SAID EAST LINE, NORTH 12 DEGREES 45 MINUTES 24 SECONDS WEST, A DISTANCE OF 363.83 FEET; THENCE, CONTINUING ON SAID EAST LINE, NORTH 21 DEGREES 46 MINUTES 40 SECONDS WEST, A DISTANCE OF 200.90 FEET; THENCE, CONTINUING ON SAID EAST LINE, NORTH 30 DEGREES 50 MINUTES 33 SECONDS WEST, A DISTANCE OF 103.40 FEET TO THE EAST LINE OF PROMONTORY POINT V ADDITION TO THE CITY OF BISMARCK; THENCE NORTH 58 DEGREES 56 MINUTES 45 SECONDS EAST, ON SAID EAST LINE, A DISTANCE OF 480.40 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 46.50 ACRES MORE OR LESS.

BASIS OF BEARING:
ND SPCS
FEBRUARY 14, 2025



SWENSON, HAGEN & COMPANY P.C.

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Hydrology
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Landscape & Site Design
Construction Management

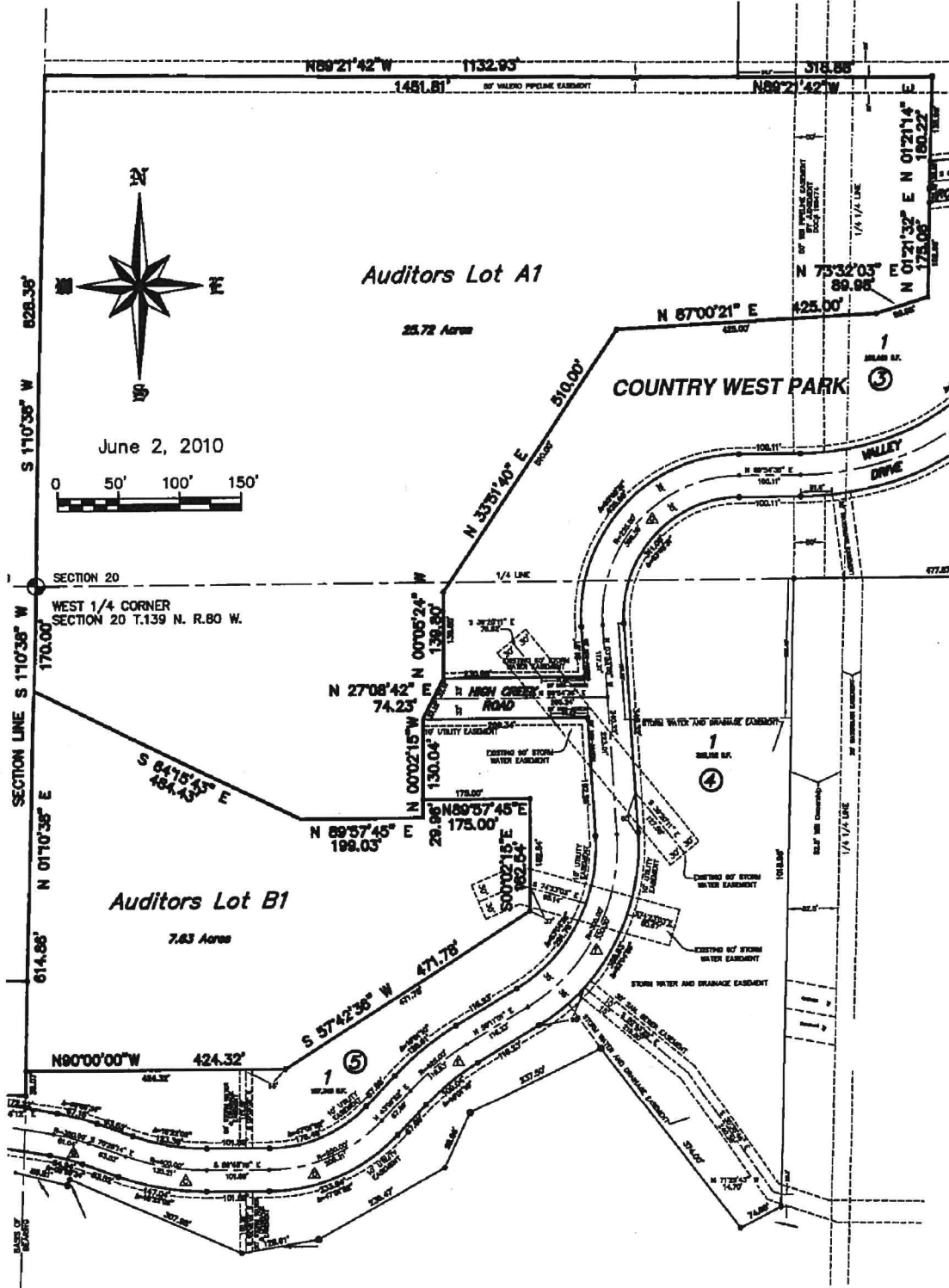
3002 Airway Avenue
Bismarck, North Dakota 58504
sheng@swensonhagen.com
Phone (701) 223 - 2600
Fax (701) 223 - 2606



PLAT OF

AUDITORS LOTS A1 & B1 OF THE WEST 1/4 Section 20, Township 139 N, Range 80 W

Present Owner CLAIRMONT DEVELOPMENT CO.



THE UNDERSIGNED, Owners of the within described property, in accordance with the provisions of Sec. 57-02-39, North Dakota Century Code, and upon demand of the County Auditor of Burleigh County, North Dakota, have caused to be made the within and foregoing plat of said land with the lots as herein described, and have caused the same to be placed on record, as provided by law.

Witness our hands and seal, this 17th day of JUNE, 2010.

In presence of _____

William Clairmont

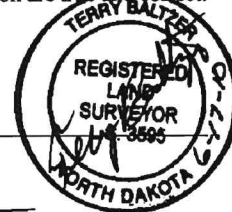
STATE OF NORTH DAKOTA, } ss.
County of Burleigh

I, DAVID PATIENCE, a notary public within and for said County, do hereby certify that on this 17th day of JUNE, A.D., 2010, personally appeared before me WILLIAM CLAIRMONT to me well known to be the same person described in and who executed the within and foregoing instrument and acknowledged that he executed the same freely and voluntarily.

DAVID PATIENCE
Notary Public
State of North Dakota
My Commission Expires Aug. 24, 2010

My commission expires Aug 24, 2010, Notary Public, Burleigh County, N.D.

I, Terry Baltzer, Surveyor, do hereby certify that, at the request of William Clairmont, I made the within and foregoing plat and description of the land as herein described and that the lots, distances, area and locations as indicated on said plat and contained in said description are true and correct.



Subscribed and sworn to before me this 17th day of JUNE, 2010.

DAVID PATIENCE
Notary Public
State of North Dakota
My Commission Expires Aug. 24, 2010

My commission expires February 20, 2015, Notary Public, Burleigh County, N.D.

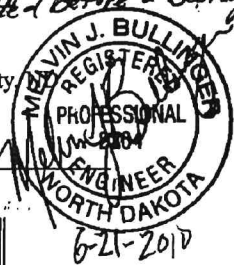
CERTIFICATE OF APPROVAL

The within and foregoing Plat is hereby approved.
Dated JUNE 21, 2010.

Approved for purposes of property transfer only. The property must be platted before a building permit can be obtained.

City Engineer of Bismarck, Burleigh County.

Melvin J. Bullinger



Plat of _____
Sec. _____ Twp. _____ R. _____
OFFICE OF REGISTER OF DEEDS
Burleigh County, North Dakota
I hereby certify that the within instrument was filed for record in this office on the _____ day of _____, 20____, at _____ o'clock _____ M., and was duly recorded on page _____ of Book _____ of Plat _____

By _____
Register of Deeds. Deputy.

By David Patience
Burleigh County Auditor
Deputy, Burleigh County Auditor



727447

\$19.00
Page: 2 of 4
6/22/2010 2:50 PM
Burleigh County

PLAT OF

AUDITORS LOTS A1 & B1 OF THE WEST $\frac{1}{2}$

Section 20, Township 139 N., Range 80 W.

Present Owner CLAIRMONT DEVELOPMENT CO.

Auditors Lot A1

ALL THAT PART OF THE WEST $\frac{1}{2}$ OF SECTION 20 TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE 5TH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA DESCRIBED AS FOLLOWS: BEGINNING AT THE WEST $\frac{1}{2}$ CORNER OF SECTION 20 THENCE SOUTH 1 DEGREE 10 MINUTES 38 SECONDS WEST, ALONG THE WEST LINE OF SECTION 20, A DISTANCE OF 170.00 FEET; THENCE SOUTH 64 DEGREES 15 MINUTES 43 SECONDS EAST A DISTANCE OF 484.43 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 45 SECONDS EAST A DISTANCE OF 199.03 FEET; THENCE NORTH 0 DEGREES 02 MINUTES 15 SECONDS WEST A DISTANCE OF 29.96 FEET TO A POINT ON THE WEST LINE OF COUNTRY WEST PARK ADDITION TO THE CITY OF BISMARCK, NORTH DAKOTA; THENCE CONTINUING NORTH 0 DEGREES 02 MINUTES 15 SECONDS WEST, ALONG THE WEST LINE OF COUNTRY WEST PARK ADDITION, A DISTANCE OF 130.04 FEET TO THE SOUTH LINE OF HIGH CREEK ROAD; THENCE NORTH 27 DEGREES 08 MINUTES 42 SECONDS EAST, CONTINUING ALONG SAID WEST LINE OF COUNTRY WEST PARK ADDITION, A DISTANCE OF 74.23 FEET TO THE NORTH LINE OF HIGH CREEK ROAD; THENCE NORTH 0 DEGREES 05 MINUTES 24 SECONDS WEST, CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 139.80 FEET; THENCE NORTH 33 DEGREES 51 MINUTES 40 SECONDS EAST, CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 510.00 FEET; THENCE NORTH 87 DEGREES 00 MINUTES 21 SECONDS EAST, CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 425.00 FEET; THENCE NORTH 73 DEGREES 32 MINUTES 03 SECONDS EAST, CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 89.98 FEET; THENCE NORTH 01 DEGREES 21 MINUTES 32 SECONDS EAST, CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 175.06 FEET; THENCE NORTH 01 DEGREES 21 MINUTES 14 SECONDS EAST, CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 180.22 FEET; THENCE NORTH 89 DEGREES 21 MINUTES 42 SECONDS WEST, ALONG THE SOUTH LINE OF BLOCK 1 OF COUNTRY WEST PARK ADDITION AND ITS WESTERLY EXTENSION, A DISTANCE OF 1451.81 FEET TO THE WEST LINE OF SECTION 20; THENCE SOUTH 1 DEGREE 10 MINUTES 38 SECONDS WEST, ALONG SAID WEST SECTION LINE, A DISTANCE OF 828.38 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT CONTAINS 25.72 ACRES, MORE OR LESS.

Auditors Lot B1

ALL THAT PART OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 20 TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE 5TH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA DESCRIBED AS FOLLOWS: BEGINNING ON THE WEST LINE OF SECTION 20, SOUTH 1 DEGREE 10 MINUTES 38 SECONDS WEST A DISTANCE OF 170.00 FEET FROM THE WEST $\frac{1}{2}$ CORNER; THENCE SOUTH 64 DEGREE 15 MINUTES 43 SECONDS EAST A DISTANCE OF 484.43 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 45 SECONDS EAST A DISTANCE OF 199.03 FEET; THENCE NORTH 00 DEGREES 02 MINUTES 15 SECONDS WEST A DISTANCE OF 29.96 FEET TO THE WESTERLY LINE OF COUNTRY WEST PARK ADDITION TO THE CITY OF BISMARCK, NORTH DAKOTA; THENCE NORTH 89 DEGREES 57 MINUTES 45 SECONDS EAST, ALONG SAID WEST LINE, A DISTANCE OF 175.00 FEET; THENCE SOUTH 00 DEGREES 02 MINUTES 15 SECONDS EAST, CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 182.54 FEET; THENCE SOUTH 57 DEGREES 42 MINUTES 36 SECONDS WEST, CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 471.78 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, CONTINUING ALONG SAID WEST LINE, A DISTANCE FO 424.32 FEET TO THE WEST LINE OF SECTION 20; THENCE NORTH 01 DEGREE 10 MINUTES 38 SECONDS EAST, ALONG SAID WEST SECTION LINE, A DISTANCE OF 614.86 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT CONTAINS 7.63 ACRES, MORE OR LESS.



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